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---

**SEVENTY-EIGHTH (EXTRAORDINARY) SESSION**

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**LINCOLN, NEBRASKA**

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by  
**HUGO F. SRB, CLERK**

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Elvin Adamson, Speaker .....	Valentine
Hugo F. Srb, Chief Clerk .....	Dodge
Vincent D. Brown, Assistant Clerk .....	Lincoln
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Ray Depa .....	Radio Station KFOR
Bill Oltman .....	Radio Station KLMS
Ralph Fox .....	WOW-TV—WOW Radio

# LEGISLATURE

## MEMBERS

Dist.	Name	Address	Occupation	Counties
1	Calista Cooper Hughes	Humboldt	Housewife	Johnson, Nemaha, Richardson
2	Rick Budd	Nebraska City	Merchant	Cass, Otoe
3	Dale L. Payne	Bellevue	Public Relations	Sarpy
4	Henry F. Pedersen, Jr.	Omaha	Lawyer	Douglas
5	Eugene T. Mahoney	Omaha	Public Relations, Insurance	Douglas
6	Harold T. Moylan	Omaha	Real Estate	Douglas
7	William R. Skarda, Jr.	Omaha	Public Relations, Insurance	Douglas
8	C. F. (Pat) Moulton	Omaha	Consulting Engineer	Douglas
9	Sam Klaver	Omaha	Attorney, Publisher	Douglas
10	Clifton B. Batchelder	Omaha	Printing Executive	Douglas
11	Edward R. Danner	Omaha	Retired Butcher	Douglas
12	Richard F. Proud	Omaha	Lawyer	Douglas
13	George Syas	Omaha	Machinist, U. P. Railroad	Douglas
14	Florence Reynolds	Omaha	Retired Elementary School Principal	Douglas
15	Ross H. Rasmussen	Hooper	Turf Grass Farm	Dodge
16	C. W. Holmquist	Oakland	Grain, Building Materials, Petroleum Products	Burt, Thurston, Washington
17	Elmer Wallwey	Emerson	Farmer	Dakota, Dixon, Wayne
18	W. H. Hasebroock	West Point	Retailer	Colfax, Cuming, Stanton

# MEMBERS (Continued)

Dist.	Name	Address	Occupation	Counties
19	J. W. Burbach	Crofton	Grain and Feed Dealer, Feeder	Cedar, Knox, Pierce
20	Bill K. Bloom	Omaha	Business Representative	Douglas
21	S. H. Brauer, Sr.	Norfolk	Physician	Madison, Pierce
22	Herb Nore	Genoa	Business, Farming	Nance, Platte
23	Harold B. Stryker	Rising City	Farming, Business	Butler, Saunders
24	Stanley A. Matzke	Milford	Retired Lawyer	Seward, York
25	Jerome Warner	Waverly	Farmer	Cass, Lancaster, Otoe
26	John E. Knight	Lincoln	Banking, Insurance	Lancaster
27	William F. Swanson	Lincoln	Realtor	Lancaster
28	Roland A. Luedtke	Lincoln	Lawyer	Lancaster
29	Fern Hubbard Orme	Lincoln	Homemaker	Lancaster
30	Fred W. Carstens	Beatrice	Lawyer	Gage, Pawnee
31	Arnold Ruhnke	Plymouth	Farmer	Gage, Jefferson, Saline
32	Eric Rasmussen	Fairmont	Agriculture	Clay, Fillmore, Thayer
33	Richard D. Marvel	Hastings	Education, Insurance	Adams
34	Maurice A. Kremer	Aurora	Business, Farming	Hamilton, Hall, Merrick, Polk
35	Donald Elrod	Grand Island	Printer	Hall
36	Leslie Robinson	Kearney	Livestock, Farmer	Buffalo, Hall
37	Richard L. Ely	Guide Rock	Grain Dealer	Harlan, Franklin, Kearney, Nuckolls, Webster
38	Lester Harsh	Bartley	Farmer	Furnas, Frontier, Gosper, Red Willow, Harlan

# MEMBERS (Continued)

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Dist.	Name	Address	Occupation	Counties
39	Albert A. Kjar	Lexington	Farm Machinery, Farming	Dawson, Phelps
40	William M. Wylie	Elgin	Farmer, Auctioneer	Antelope, Boyd, Holt, Wheeler
41	Rudolf C. Kokes	Ord	Farming, Rancher	Boone, Greeley, Howard, Sherman, Valley
42	J. James Waldron	Callaway	Historian	Arthur, Blaine, Custer, Garden, Garfield, Hooker, Logan, Loup, McPherson, Thomas
43	Elvin Adamson	Valentine	Ranching	Brown, Cherry, Grant, Keya Paha, Rock, Sheridan
44	Ramey C. Whitney	Chappell	Farmer	Chase, Deuel, Dundy, Hayes, Hitchcock, Keith, Perkins
45	Glenn Viehmeyer	North Platte	Horticulturist	Lincoln
46	Harold D. Simpson	Lincoln	Warehouseman	Lancaster
47	George H. Fleming	Sidney	Farming, Ranching	Banner, Cheyenne, Kimball, Scotts Bluff
48	Terry Carpenter	Scottsbluff	Business, General	Scotts Bluff
49	George C. Gerdes	Alliance	Farmer, Rancher	Dawes, Box Butte, Morrill, Sioux

## Clerk

Hugo F. Srb .....Dodge

**RULES OF THE NEBRASKA LEGISLATURE**

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# **RULES OF THE NEBRASKA LEGISLATURE**

## **RULE 1**

### **Authority**

**Constitution of Nebraska. Art. III, Sec. 10**

**Gregg's Handbook of Parliamentary Law.** The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature.

Amendment and suspension of rules. Rule 17.

## **RULE 2**

### **Presiding Officer**

**Section 1. Presiding Officer: Lieutenant Governor, Speaker.** The Lieutenant Governor shall preside as President of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Member of Reference Committee. Rule 14.

Member of Committee on Order and Arrangement. Rule 5.

**Sec. 2. Chairmen of Committees Preside, When.** In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairman of the Legislative Council

Chairman of the Committee on Committees

Chairman of Committee on Judiciary

Chairman of Committee on Government and Military  
Affairs

Chairman of Committee on Budget

Chairman of Committee on Revenue

Chairman of Committee on Education  
Chairman of Committee on Banking, Commerce and  
Insurance  
Chairman of Committee on Public Works  
Chairman of Committee on Agriculture and Recreation  
Chairman of Committee on Public Health and Welfare  
Chairman of Committee on Miscellaneous Subjects  
Chairman of Committee on Salaries and Claims  
Chairman of Committee on Labor  
Chairman of Committee on Urban Affairs.

All the powers herein conferred on the President shall be exercised, except the authority to sign bills or resolutions passed by the Legislature.

**Sec. 3. Member Presides, When.** The President shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

**Sec. 4. President Calls Legislature to Order: Quorum.** The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum. (Const. Art. III, Sec. 10.)

**Sec. 5. Absence of Quorum.** If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

**Sec. 6. President to Preserve Order.** The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

**Sec. 7. Point of Order, President Decides: Appeal.** The President may speak to a point of order in preference to

members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member; on which appeal no member may speak more than once, unless by leave of the Legislature.

**Sec. 8. Putting Question.** The President shall rise to put a question, but he may state it sitting.

**Sec. 9. President Shall Sign.** The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. (Const. Art. III, Sec. 14.) All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

**Sec. 10. Lieutenant Governor Votes, When.** The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. (Const. Art. III, Sec. 10.)

### RULE 3

#### **Officers Elected and Their Duties: Recall; Employees, Selection and Duties.**

**Sec. 1. Nomination and Election.** At the commencement of each regular session, the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker  
Chief Clerk of the Legislature  
Assistant Clerk of the Legislature  
Sergeant-at-arms  
Assistant Sergeant-at-arms  
Postmaster  
Chaplain

Officers and employees recommended by committee of five members. See 50-111, R.R.S., 1943.

**Sec. 2. Officers, Vote Necessary to Elect.** A majority vote of the elected members shall be required for the election of each such officer.

**Sec. 3. Recall of Officers.** Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

**Sec. 4. Oath of Officers.** Each permanent officer shall take an oath to support the constitution of the United States, and the constitution of the State of Nebraska, and to discharge faithfully the duties of his office according to the best of his ability.

**Sec. 5. Duties of Officers, General.** In general the duties of the officers of the Legislature shall be those usual to such officers.

**Sec. 6. Speaker, Duties. Rule 2.**

Speaker is member of Reference Committee. Rule 14, Sec. 1.

Speaker is member of the Executive Board of the Legislative Council. See 50-401.01, R.R.S., 1943.

Speaker is co-ordinator for the chairmen of standing committees.

Speaker provides floor leadership so as to expedite Legislative processes.

**Sec. 7. Clerk of the Legislature, Duties.**

(a) The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. (Const. Art. III, Sec. 11.)

Daily Journal. Rule 8.

(b) The Clerk of the Legislature shall have the responsibility to supervise employees once they are hired.

(c) The Clerk of the Legislature shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the elected members of the Legislature.

(d) The Clerk of the Legislature shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

(e) The Clerk of the Legislature shall have general charge, except as may be provided by law or by rule, of such parts of the Capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

**Sec. 8. Assistant Clerk, Duties.** The Assistant Clerk, shall, in the absence of the Clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

**Sec. 9. Sergeant-at-arms, Duties.** The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the Legislative Chamber.

**Sec. 10. Assistant Sergeant-at-arms, Duties.** The Assistant Sergeant-at-arms, shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.

**Sec. 11. Postmaster, Duties.** The Postmaster shall superintend the post office kept in the Capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

**Sec. 12. Chaplain, Duties.** The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

**Sec. 13. Employees, Selection.** A committee of five members shall recommend to the Legislature for its approval

and election, employees and their salaries as provided for in Section 50-111 and 50-112, R.R.S., 1943. All employees shall be selected without reference to party affiliation.

#### **RULE 4**

##### **Members: Attendance, Decorum and Debate**

**Sec. 1. Presence of Members Required.** Every member shall be present within the Legislative Chamber during the meetings of the Legislature and shall attend the regular meeting of the standing committee of which he is a member, unless excused by the Legislature or the Committee Chairman. Members who have been excused by the Legislature shall notify their Committee Chairman that they will be absent.

**Sec. 2. Presence of Member May Be Compelled.** The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

Call of the Legislature. Rule 9, Sec. 8.

**Sec. 3. Absence of Member May Be Explained.** Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

**Sec. 4. Expulsion of Members.** No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. (Const. Art. III, Sec. 10.)

**Sec. 5. Decorum: Members May Speak Only When Recognized by President.** When a member desires to speak

in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President." A member shall speak only when recognized and shall confine himself to the question before the Legislature.

**Sec. 6. Decorum: Abusive Language and Interruptions Prohibited.** No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. No member shall use profane or abusive language when speaking to or about another member.

**Sec. 7. Decorum: During Final Reading.** Members shall remain in their seats during the Final Reading of a bill and until the vote thereon has been announced, except when excused by the President.

**Sec. 8. Transgression of Rules: Call to Order.** If any member, in speaking or otherwise, transgresses the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

**Sec. 9. Call to Order: Words Excepted to Must Be Indicated.** If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

**Sec. 10. Debate: Limitations, Proponent May Close.** No member shall speak more than twice, nor for more than ten minutes on each occasion, upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 10, Sec. 11.

**Sec. 11. Explanation of Vote Permitted.** A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

**Sec. 12. Debate: Permanent Record.** A verbatim record of all debate and questions on all bills and resolutions, and amendments offered thereto, shall be made, transcribed and preserved, under the direction of the Clerk.

## RULE 5

### Committees

**Sec. 1. Committee on Committees.** At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairman, and three from legislative district Nos. 1, 2, 25 through 33, 37 and 46; three from legislative districts Nos. 3 through 14 and 20; three from legislative districts Nos. 15 through 19, 21 through 24, 34 and 35; and three from legislative districts 36 through 49 with the exception of 37 and 46.

Chairman is member of Reference Committee for bills and resolutions. Rule 14, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 14, Sec. 2.

**Sec. 2. Committee on Committees Shall Recommend Standing Committees, Designate Chairmen.** The Committee

on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

<b>Agriculture and Recreation</b> .....	8 members
<b>Banking, Commerce and Insurance</b> .....	8 members
<b>Budget - Appropriation</b> .....	9 members
<b>Education</b> .....	8 members
<b>Enrollment and Review</b> .....	1 member
<b>Government and Military Affairs</b> .....	8 members
<b>Intergovernmental Cooperation</b> .....	5 members
<b>Judiciary</b> .....	8 members
<b>Labor</b> .....	7 members
<b>Miscellaneous Subjects</b> .....	8 members
<b>Public Health and Welfare</b> .....	7 members
<b>Public Works</b> .....	8 members
<b>Reference</b> .....	3 members
<b>Revenue</b> .....	8 members
<b>Rules</b> .....	5 members
<b>Salaries and Claims</b> .....	7 members
<b>Urban Affairs</b> .....	8 members

The Speaker shall not be a member of any standing committee except as provided in section 11 of Rule 5.

**Sec. 3. Committee on Committees Shall Select Other Committees.** The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

**Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings.** The

Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the Capitol near the Legislative Chamber.

**Sec. 5. Enrollment and Review, Privileged Committee.**

The Chairman of Enrollment and Review shall be privileged, and shall be in order at any time in reporting bills which have been engrossed for Final Reading and passage. In the absence of the Chairman, the Vice-Chairman of the Judiciary Committee shall assume the duties of the Chairman of Enrollment and Review. The bill drafting service shall have supervision of and provide legal services for the Enrollment and Review Committee.

**Sec. 6. Enrollment and Review, Authority to Make Corrections.** The Chairman of Enrollment and Review shall have authority, without being required to include the same specifically in his reports and recommendations to the Legislature, in accord with accepted usage:

- a. To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in General File, Select File and specific amendments.
- b. To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File and specific amendments.

Chairman of Enrollment and Review to give preference to bills readvanced from General File after having been recommitted from Select File. Rule 12, Sec. 8-d.

**Sec. 7. Committee on Salaries and Claims; Filing, Limitation.** No claim shall be considered by the Salaries and Claims Committee unless filed and considered by the Sundry

Claims Board within or before the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

**Sec. 8. Claims Previously Rejected.** The Claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions.

**Sec. 9. Committee on Order and Arrangement: Members, Duties.** The Committee on Order and Arrangement shall consist of the Speaker of the Legislature: Chairman. Other members: Chairman of the Committee on Committees and the Lt. Governor. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on General File. The order so reported shall become effective only upon approval of the Legislature. The committee shall meet subject to call by the Chairman.

**Sec. 10.** The chairman of each committee shall take into consideration the importance, need for, and passage of the bills referred to his committee and set the bills for hearing accordingly.

Reference Committees:

For bills and resolutions. Rule 14, Sec. 1.

For nominations by Governor. Rule 14, Sec. 2.

For amendment of rules. Rule 17.

**Sec. 11.** When a member or members of the Legislature are absent because they are incapacitated and unable to serve, or continue to serve, on a committee, the chairman of such committee after a majority vote of the committee shall request one or more temporary appointments as the case may be to fill such vacancy or vacancies. The request shall be made to the Committee on Committees and such Committee shall appoint either the Speaker, or a member from a regular standing committee having eight members to fill such vacancy or vacancies. A temporary appointment

may also be made by the Chairman of the Committee on Committees for only one day when requested by a chairman of a regular standing committee which lacks a quorum. When a member is appointed from an eight-member committee the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member or members, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he was appointed.

## **RULE 6**

### **Committee Hearings and Reports, Officers**

**Sec. 1. Vice-Chairmen.** Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

Chairmen designated by Committee on Committees. Rule 5, Sec. 2.

Enrollment and Review Vice-Chairman is Vice-Chairman of Judiciary. Rule 5, Sec. 5.

**Sec. 2. Committee Hearings, Time.** Standing committees shall meet at 2:00 p.m., unless otherwise ordered by the Legislature. Any Committee Chairman before deciding not to hold committee meetings or a committee meeting on an assigned day, must receive permission from a majority of the Reference Committee.

**Sec. 3. Committee Hearings, Notice.** Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar

days' notice, by publication in the Legislative Journal, of the date and time of said hearing. Committee chairmen

shall make rules concerning length of public hearings but no rebuttal shall be for more than ten minutes.

Reference committee exception. Rule 14, Sec. 1.

**Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments.** Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

**Sec. 5. Record of Committee Proceedings.** Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

**Sec. 6. Committees Shall Report Promptly.** Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

**Sec. 7. Legislature May Request Committee Report or to Advance Bill.** Except for the general appropriation bills necessary for the support of the state government for the biennium, the Legislature may, by vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

Any Senator may move that a bill be placed on General File twenty days or more after the committee hearing, and by a vote of a majority of the elected members, said bill shall be placed on General File.

When the introducer of a bill attempts to take a bill from committee to be placed on General File, the bill shall stand Indefinitely Postponed if the motion fails to receive a majority vote of the members elected to the Legislature.

**Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement: Majority Vote of Members at Regular Meeting Required.** In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on General File for the consideration of the Legislature, or (b) that the bill be Indefinitely Postponed. Such action shall be taken at regularly scheduled committee meetings only. A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has acted upon the particular measure.

**Sec. 9. Effect of Committee Report to Postpone Indefinitely.** If the standing committee report on a bill be to postpone indefinitely, the bill shall stand Indefinitely Postponed; Provided, that such bill may be placed on General File or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. Consideration of motions pending shall be included in the regular order of business following resolutions.

**Sec. 10. Committee Reports, Statements and Amendments: Minority Report.** Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to General File, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

**Sec. 11. Executive Sessions.** Members and reporters of regularly accredited newspapers, press associations, and radio and television stations shall be admitted to executive sessions of the standing committees, and such reporters and the members of such committees shall respect as confidential the discussions and voting of the other members of any standing committee.

## **RULE 7**

### **Order of Business**

**Sec. 1. Hour of Meeting and Adjournment.** The Legislature shall meet each legislative day at 9:00 a.m., and adjourn not later than 1:00 p.m., unless otherwise ordered by a majority vote of its members present and voting thereon.

**Sec. 2. Order of Business.** The order of business of the Legislature shall be as follows:

- a. Prayer by the Chaplain
- b. Roll call
- c. Call for correction of the journal
- d. Petitions and memorials
- e. Notice of committee hearings
- f. Bills on Final Reading
- g. Reports of standing committees
- h. Reports of select committees
- i. Resolutions
- j. Introduction of bills
- k. Bills on First Reading by title
- l. Reference of bills to committees on a day subsequent to First Reading
- m. Consideration of bills on Select File
- n. Motions to reconsider
- o. Motions to advance bills from committee
- p. Other pending motions
- q. Unfinished business, including messages on the President's desk
- r. Special order of the day

- s. Consideration of bills on General File
- t. Miscellaneous business

**Sec. 3. Messages From the Governor, Preference.** Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

**Sec. 4. Special Order of the Day, Effect of Adjournment.** When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on General File.

**Sec. 5. Unfinished Business, Effect of Adjournment.** The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

**Sec. 6. Legislative Days.** Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

## RULE 8

### Daily Journal

**Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections.** A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

**Sec. 2. Journal Entries.** The Clerk shall enter in the daily journal messages of the Governor in full; titles of bills;

every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in journal. (Const. Art. XVI, Sec. 1.)

**Sec. 3. Title, Parts of Bills Entered in Journal.** In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

**Sec. 4. Amendments Offered, But Not Adopted, Not Entered: Exception.** In the consideration of bills on General or Select File, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

**Sec. 5. Hour of Adjournment Entered.** The hour at which the Legislature adjourns shall be entered in the daily journal.

**Sec. 6. Additional Copies for Members.** Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

**Sec. 7. Bound Journal, How Printed.** The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references:

Yeas and nays entered in journal at request of any member. (Const. Art. III, Sec. 11.)

Yeas and nays on final passage of bill shall be published in the journal. (Const. Art. III, Sec. 13.)

Explanation of absence and statement of how absent member would have voted. Rule 4, Sec. 3.

Explanation of vote. Rule 4, Sec. 11.

Committee reports. Rule 6, Sec. 5.

Only totals of machine vote entered. Rule 9, Sec. 3.

Notice of committee hearings must be published. Rule 6, Sec. 3.

**RULE 9****Manner and Record of Voting**

**Sec. 1. Votes Taken Viva Voce: Form of Question.** All votes shall be taken viva voce. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no'".

**Sec. 2. Yea and Nay Vote Required on Final Passage of Bill: Applies to Resolution, When.** Upon the final passage of a bill, or of a resolution if the same requires the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

**Sec. 3. Machine Vote, When.** If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

**Sec. 4. Record Vote, Member May Demand.** Any member may call for a record vote upon any question (Const. Art. III, Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

**Sec. 5. For Yeas and Nays and Call of House. Vote on Electric System: Limitation on Time to Vote.** In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted

**Sec. 6. When More Than Majority Vote Necessary, Electric System Used.** In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained

by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk. Votes not registered on the electric roll call system or given to the Clerk by voice shall not be counted for or against a proposition.

**Sec. 7. Member May Demand Verification of Vote.** Any member may demand verification of the vote on roll call; Provided, that on the final passage of bills verification shall always be made.

**Sec. 8. Call of the Legislature.** A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system and shall remain in his seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members elected, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and if all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Voting, cross references:

Lieutenant Governor votes only when Legislature equally divided. Rule 2, Sec. 10.

Explanation of vote. Rule 4, Sec. 11.

## RULE 10

### Motions and Their Precedence

**Sec. 1. Statement of Motions.** When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

**Sec. 2. Motions Must be Written, When.** Every motion shall be reduced to writing if the presiding officer or any member desires it.

**Sec. 3. Withdrawal or Modification of Motions.** After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

**Sec. 4. Motions Received When Questions Under Debate: Precedence.** When a question is under debate no motion shall be received but:

- a. To adjourn.
- b. To lay on the table.
- c. For the previous question.
- d. To postpone to a certain time.
- e. To commit.
- f. To amend.
- g. To postpone indefinitely.

Such motions shall have precedence in the order in which they are arranged; except that motions to postpone indefinitely and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

**Sec. 5. Motion to Strike Enacting Clause; Effect, Precedence.** A motion to strike the enacting clause of a bill, if carried, is equivalent to rejection of the bill. Such motion to vote after the decision is announced from the chair. shall not have precedence over a motion to amend nor over a motion to postpone indefinitely.

**Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence.** A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

- a. While a member is speaking.
- b. When a motion to adjourn has just been defeated.
- c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
- d. After the Final Reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

**Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules.** Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

**Sec. 8. The Previous Question, Form.** The previous question shall be in this form, "Shall the debate now close?"

**Sec. 9. The Previous Question: Seconds Required, Vote Necessary, Effect.** The previous question shall be in order when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

**Sec. 10. Previous Question Undebatable.** On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

**Sec. 11. Previous Question Ordered: Proponent to Close Debate.** When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

**Sec. 12. Questions of Privilege, What Are.** Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Questions of privilege shall not be used to permit any discussion or debate pertaining to any measure pending before the Legislature. All questions of privilege shall be channeled through the presiding officer and the reason for such stated. The decision of order of permission shall be made by the presiding officer.

Question of privilege is not in order for introduction of guests while member speaking. Rule 4, Sec. 6.

**Sec. 13. Reconsideration: Who May Move, Time for Motion.** When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading. In such case, it must be made on the same day the original question was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within 5 days after making the same or it shall be deemed defeated. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 10, Sec. 3.

**Sec. 14. Reconsideration, Precedence.** Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

**Sec. 15. Reconsideration, Vote Necessary.** For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

- a. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.
- b. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.

**Sec. 16. Amendments in Order.** When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

**Sec. 17. Amendment to Title of Bills.** Amendments to the title shall not be in order during the consideration of a bill or resolution on General or Select File until the bill or resolution shall have been considered in full.

**Sec. 18. Amendment Laid on Table Does Not Carry Principle Measure.** When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

**Sec. 19. Amendments, Preference in Consideration.** When the Legislature is considering bills on either General or Select File, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

**Sec. 20. Amendments, Must Be Germane.** No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

**Sec. 21. Division of a Question, When.** Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude an amendment or a motion to strike out or insert.

**Sec. 22.** No bill shall be divided into two or more bills.

## **RULE 11**

### **Bills—General Provisions**

**Sec. 1. Introduction.** Upon call for the introduction of bills, any member or any standing committee to which bills are referred for consideration may introduce one or more bills. No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter. The name of the introducer shall be followed by the number of his legislative district. During the general meeting of the Legislative Council in November preceding each legislative session, a procedure shall be worked out whereby a reelected Senator agrees to introduce the Revisor of Statutes' correctional bills early in the session. The Clerk of the Legislature shall have these bills printed, with the exception of the title page, and ready for introduction when the Legislature convenes.

**Sec. 2. Introducer Must Be Willing to Support.** Members shall introduce only such bills as they are willing to endorse and support personally.

**Sec. 3. Time for Introduction, Limitation, Fiscal Notes.** No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor or by a majority of the members of a standing committee whose names shall be affixed to the bill and upon the vote of three-fifths of the elected members of the Legislature. After January 1,

no bill shall be drafted by the bill drafter unless requested or authorized by a member of the legislature.

Before an individual member may apply to a committee for introduction of a bill, he must first submit the bill to the reference committee; the reference committee shall determine which committee of the Legislature the subject of the bill is germane to. The bill shall then be submitted to the committee designated by the reference committee. A standing committee shall not recommend a bill for introduction unless the subject matter of the bill is germane to the subjects assigned to such committee.

A copy of intent of a bill recommended for introduction by a committee must be placed on each member's desk before such introduction of bill is voted upon.

Every bill may have attached to it a brief explanatory statement which shall contain either a reliable estimate of the anticipated change in state expenditures or revenues under its provisions or an estimate that no change is anticipated. These statements shall be known as "fiscal notes", and shall be, when prepared, attached to the bill and so remain during its consideration by the Legislature.

A copy of every bill, when recommended by a committee to be placed on General File, together with the committee amendments recommended thereto, and a copy of every bill, when referred by the Reference Committee directly to General File, may be transmitted by the Clerk to the Office of Legislative Fiscal Analyst for obtainment of such fiscal note when requested by the Chairman of the Committee hearing the bill or by any member after the bill has been advanced to General File.

The copies of said bills transmitted to the Office of Legislative Fiscal Analyst for fiscal notes shall be further transmitted by said Office to the board, commission, department, agency or other state entity which is to receive or expend the appropriation proposed or which is responsible for collection of the revenue proposed to be increased or decreased or to be levied or provided for, and the fiscal note shall be prepared

by said board, commission, department, agency, or other entity and returned to the Office of Legislative Fiscal Analyst within five calendar days thereafter. The Office of Legislative Fiscal Analyst shall then confer with the Budget Division of the Office of Tax Commissioner and shall secure from said office its agreement or its exceptions to the estimate made by the aforementioned entity of state government and shall append thereto the agreement with or exceptions of the Office of Legislative Fiscal Analyst to said fiscal note.

The agreement or exception to the Budget Division of the Office of the Tax Commissioner shall be made and considered as a part of the fiscal note. The fiscal note shall be delivered to the Clerk within ten calendar days of receipt by the Office of Legislative Fiscal Analyst of a copy of the bill for obtaining of a fiscal note, and the Clerk shall attach the fiscal note to the bill and to all copies of the bill prepared for members.

The note shall be factual in nature, as brief and concise as may be, and shall if possible provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared; however, technical or mechanical defects may be noted.

The subject matter of bills submitted to boards, commissions, departments, agencies or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the Office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

**Sec. 4. Bills, How Designated.** A bill shall be designated as Legislative Bill —.

**Sec. 5. Bill Must Contain Only One Subject: Amendment of Laws.** No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contains the section or sections as amended, and the section or sections so amended shall be repealed. (Const. Art. III, Sec. 14.)

**Sec. 6. Amendatory Bill, How Printed.** An amendatory bill or constitutional provision shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the Statutes or Constitution.

**Sec. 7. Bills Must Be Engrossed Before Final Reading.** All bills, before being advanced to Final Reading and passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

**Sec. 8. Bills Must Receive Two Readings Before Passage.** Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. (Const. Art. III, Sec. 14.)

**Sec. 9. Vote Required to Expend Money or Change Compensation.** It shall require the vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

**Sec. 10. Withdrawal of Bills.** No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his co-introducers. Such motion, when made, shall not be considered prior to the next succeeding legislative day, and, for its adoption, shall require the affirmative vote of a majority of those voting upon the question.

**RULE 12****Bills—Stages in Consideration****Sec. 1. Introduction and First Reading.**

Introduction. Rule 11, Secs. 1, 2.

Time for introduction. Rule 11, Sec. 3.

First Reading. Rule 11, Sec. 8.

**Sec. 2. Reference to Standing or Select Committee.**

Reference committee. Rule 14, Sec. 1.

Readings. Rule 11, Sec. 8.

**Sec. 3. Consideration by Standing or Select Committee, Together With Desired Committee Hearings.**

Committee hearings. Rule 6, Secs. 2-5.

**Sec. 4. Report by Standing or Select Committee and Reference to General File.**

Committee reports. Rule 6, Secs. 6-10.

Effect of committee report to postpone indefinitely. Rule 6, Sec. 9.

**Sec. 5. General File: Reading, Consideration and General Debate by the Legislature.**

- a. Each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 10, Secs. 16-20.

- b. Bills shall be listed and considered on General File in the order in which they shall be reported from the standing committees, except as modified by the Committee on Order and Arrangement; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed at the bottom of General File if said introducer asked for further time. And no change shall be made in such

order, except by a majority vote of the elected members.

- c. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on General File.
- d. At any time during consideration of bills on either General or Select File, any member may move that the bill be passed over, and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the File. This motion shall have the same precedence as to lay on the table.
- e. In the event a motion to Indefinitely Postpone a bill is made before the bill is read on General File, such motion shall require the affirmative vote of a majority of the elected members.

**Sec. 6. Reference to Enrollment and Review.** Advancement to Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless Indefinitely Postponed or recommitted to a standing committee. Advancement to Enrollment and Review from General File for such purpose shall require a majority of those voting, but there must be a minimum of eighteen affirmative votes.

**Sec. 7. Report by Chairman of Enrollment and Review and Reference to Select File.**

Enrollment and Review report. Rule 5, Sec. 6.

**Sec. 8. Select File.** Consideration by the Legislature, in review on Select File, wherein any of the following motions shall be in order:

- a. A motion to approve or reject any or all of the changes recommended by the Chairman of Enrollment and Review.

- b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered. When a motion is made to adopt a unanimous consent amendment, the mover shall be required to explain the amendment sought.
- c. A motion to recommit to the proper standing committee.
- d. A motion to recommit to General File for one or more specific amendments. If such a motion is adopted, the bill shall be transferred forthwith to the head of the General File where consideration of the specific amendment shall be the first order of business on that File. After disposition of the amendment, the bill may be readvanced to Enrollment and Review for review, amended further, Indefinitely Postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the Chairman of Enrollment and Review and returned to the Select File as soon as possible and placed at the head of that File; Provided, if the bill is not amended, Indefinitely Postponed, or recommitted, it may be advanced to Enrollment and Review for engrossment.

Effect of passing over bill. Rule 12, Sec. 5d.

- e. A motion to postpone indefinitely.
- f. Motions made pursuant to subsections c, d and e hereof may be adopted only upon the affirmative vote of a majority of the elected members.

No bill shall be considered initially on Select File until three legislative days after its advancement from General File to Enrollment and Review; Provided, that the amendments so recommended shall not be read by the Clerk except upon the request of a member of the Legislature.

Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific enrollment and review amendments may be considered.

**Sec. 9. Advancement to Enrollment and Review for Engrossment, Unless Recommitted to a Standing Committee or Indefinitely Postponed.**

**Sec. 10. Report by Chairman of Enrollment and Review and Reference to Final Reading File, or to Select File for Specific Amendment.**

Bills must be engrossed before advancement to Final Reading. Rule 11, Sec. 7.

**Sec. 11. Conditions Precedent to Placing Bill on Final Reading.** No bill shall be placed upon Final Reading and passage until:

- a. Five legislative days after the initial reference to Enrollment and Review.
- b. Two legislative days after its reference to Final Reading file.
- c. Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day. (Const. Art. III, Sec. 14.)

**Sec. 12. Final Reading.** Consideration on Final Reading and passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14); Provided, that at any time before the roll call shall have begun on Final Reading of the bill, it shall be in order to move:

- a. To recommit the bill to Enrollment and Review to correct an error and for re-engrossment.
- b. To recommit the bill to the proper standing committee, with or without instructions.
- c. To recommit the bill to Select File for specific amendment, which amendment may be adopted by a vote of a majority of the elected members; Provided, however, if the proposed amendment be to add the emergency clause, it may only be adopted by a vote of two-thirds of the elected members.

Members must be in their seats during Final Reading. Rule 4, Sec. 7.

**Sec. 13. Question After Final Reading: Emergency Clause.** The question after the Final Reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

**Sec. 14. Emergency Clause: Failure to Receive Constitutional Majority; Effect; Question.** When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on Final Reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on Final Reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?" (Const. Art. III, Sec. 27.)

**Sec. 15. Governor's Veto, Consideration.** Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

Three-fifths vote of the elected members required to pass bill over Governor's veto. (Const. Art. IV, Sec. 15.)

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills. (Const. Art. IV, Sec. 15.)

## RULE 13

### Petitions and Memorials

**Sec. 1. Petitions, Memorials and Other Papers Referred to Committees.** Every petition, memorial, or other paper shall be referred to the proper committee without putting a

question for that purpose, unless the reference be objected to by a member at the time such petition, memorial or other paper is presented, in which case the Legislature shall decide the question of reference.

**Sec. 2. Introducer May Make Statement.** Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

**Sec. 3. Communications, When Read.** No communications or letters shall be read by the Clerk of the Legislature unless authorized by a majority of the Reference Committee.

## RULE 14

### Questions and Reference

**Sec. 1. Reference Committee for Bills and Resolutions, Who Constitutes.** The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees. The Reference Committee shall either refer bills to standing committees or place them on General File. Those placed on General File will be bracketed for five days, and if one senator requests a public hearing on one or more of these bills, they will then be referred to a committee. Bills on General File for which public hearings have not been requested will be handled as all bills on General File.

**Sec. 2. Nominations by Governor Referred to Committee on Committees.** All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

**Sec. 3. Members May Object to Reference.** Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

**Sec. 4. Motions for Reference: Preference.** When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

Proposed amendments to rules referred to Rules Committee. Rule 17.

**Sec. 5. Statement of Purpose by Introducer.** Immediately upon the referral of any bill to a standing committee, the first introducer of the bill shall prepare and submit to the committee a statement in writing setting forth the reason for the bill and the purposes sought to be accomplished thereby. Such statement shall be incorporated into the committee records. No bill shall be reported to the Legislature by a committee whether the bill is Indefinitely Postponed or advanced to General File, unless such a statement has been submitted by the introducer of the bill.

## **RULE 15**

### **Resolutions**

**Sec. 1. Resolutions: How Designated.** A resolution shall be designated as Legislative Resolution —.

**Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption.** Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills. (Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.)

**Sec. 3. Resolutions Proposing Legislative Council Studies Reference.** Resolutions which propose that studies be made by the Legislative Council shall be first referred to the Executive Board of the Legislative Council, this Board to submit a report with each resolution recommending that the proposed study be made or rejected.

**Sec. 4. Resolutions Laid Over One Legislative Day.** All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

**Sec. 5. Resolutions; Reference to Committee; Vote Necessary for Adoption.** When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

**Sec. 6. Effect of Committee Report to Indefinitely Postpone.** If the standing committee report on a resolution be to postpone indefinitely, the resolution shall stand Indefinitely Postponed; *Provided*, that such resolution may be considered by the members of the Legislature or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one resolution shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other resolution or subject matter.

## RULE 16

### Privileges of the Floor

The floor of the Legislative Chamber shall consist of that part of the Legislative Chamber forward from the row of

desks or dividing line back of the last row of Senators including the space under the balcony on either side adjacent thereto.

No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

Members of the Legislature, officers and employees, including the bill drafter and employees of the Legislative Council

State officers, their deputies and clerks

Judges of the Supreme Court

Judges of the District Courts

Senators and Representatives in Congress

Reporters of regularly accredited newspapers and broadcasting stations.

No one shall be permitted to be seated beside members of the Legislature except members of their immediate families upon permission from the chair. When bills are being read on Final Reading, no one shall be permitted to be seated beside members of the Legislature.

No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

The space directly back of the seated Senators shall be reserved for members of the families of the Governor, Lieutenant Governor, and members of the Legislature, state officers, their deputies and clerks, and visitors. Any other person or persons may be seated in this reserved space when accompanied by a Senator.

Any representative of a newspaper, press association, or radio or television station assigned to cover the Legislature, who flagrantly or persistently violates the ethics of news reporting by assuming the facts without regard for accuracy may be denied the privilege of the Legislative Chamber on a majority vote of the members elected to the Legislature. Such action shall be brought by the Rules Committee and

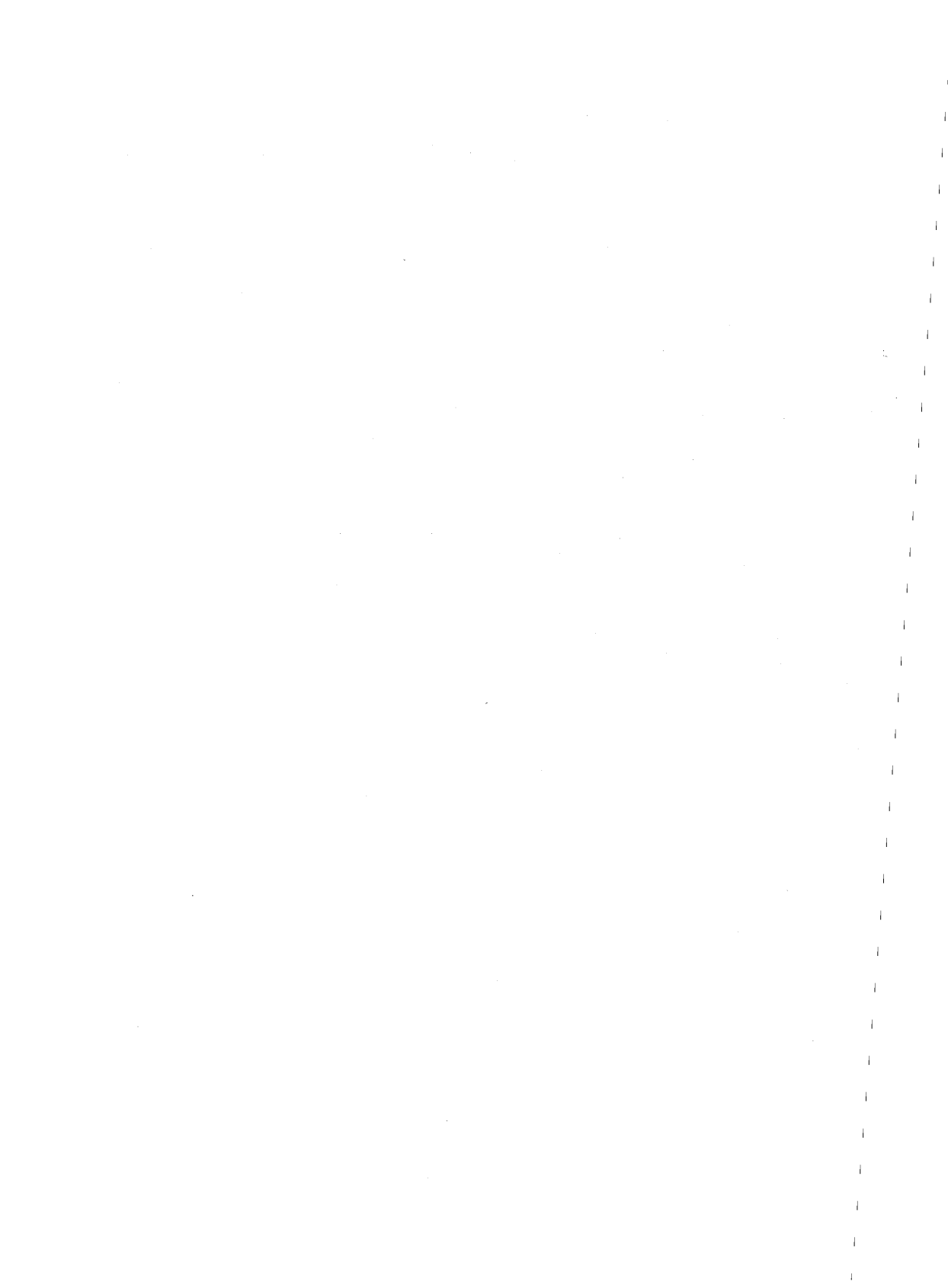
no action may be brought until after a full hearing has been held on the charges.

No printed or written material of any nature may be placed on the desks of the members or distributed to them in the Legislative Chamber, unless such material clearly indicates on its face the party or parties responsible for its distribution. The distribution must be approved by at least one member of the Legislature.

### **RULE 17**

#### **Suspension and Amendment of Rules**

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected; Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.



# LEGISLATIVE JOURNAL

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## SEVENTY-EIGHTH (EXTRAORDINARY) SESSION

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### FIRST DAY

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Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 3, 1968

Pursuant to a proclamation by His Excellency, Norbert T. Tie-mann, Governor of the State of Nebraska, the Seventy-eighth (Extra-ordinary) Session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 9:05 a.m., January 3, 1968, and was called to order by President John E. Everroad.

Prayer was offered by Dr. Robert Palmer, Chaplain.

#### Prayer

O God our Father, ultimately in Thy hands lies the destiny of us all. Yet Thou hast given freedom to man to be used to uplift or pull down society. We gather here as a group of men and women, chosen by the people, and called to this special session, to deliberate concerning those things which are best for our state. Give to us the wisdom, incentive, and openness to match the strategic issues facing us in our state. May this truly be a new session; new in purpose, new in spirit, new in dedication. May icy prejudices melt before warm issues. So wilt Thou give to our Governor, to this legislature and all officers of our state, a sense of proportion, that they are not their own, but Thine, and are here to serve Thee and the people of this state. In the name of the Prince of Peace. Amen.

The roll was called and the following members were present:

Adamson, Elvin	Kjar, Albert A.	Rasmussen, Ross H.
Batchelder, Clifton B.	Klaver, Sam	Reynolds, Florence
Bloom, Bill K.	Knight, John E.	Robinson, Leslie
Budd, Rick	Kokes, Rudolf C.	Ruhnke, Arnold
Burbach, J. W.	Kremer, M. A.	Simpson, Harold D.
Carpenter, Terry	Luedtke, Roland A.	Skarda, William R., Jr.
Carstens, Fred W.	Mahoney, Eugene T.	Stryker, Harold B.
Danner, Edward R.	Marvel, Richard D.	Swanson, William F.
Elrod, Donald	Matzke, Stanley A.	Syas, George
Ely, Richard L.	Moulton, C. F.	Viehmeyer, Glenn
Fleming, George H.	Moylan, Harold T.	Waldron, J. James
Gerdes, George C.	Orme, Fern Hubbard	Wallwey, Elmer
Harsh, Lester	Payne, Dale L.	Warner, Jerome
Hasebroock, W. H.	Pedersen, Henry F., Jr.	Whitney, Ramey C.
Holmquist, C. W.	Proud, Richard F.	Wylie, William M.
Hughes, Calista Cooper	Rasmussen, Eric	

#### Members Excused

Messrs. Brauer and Nore were excused.

#### DECLARATION

Members of the Legislature:

Pursuant to a proclamation issued by the Honorable Norbert T. Tiemann, Governor of Nebraska, we are here and now assembled in the 78th (Extraordinary) Session of the Nebraska Legislature. I, as President, declare that we are now open for transaction of business.

(Signed) John E. Everroad, President

#### PROCLAMATION

WHEREAS, by virtue of the authority vested in the Governor by Section 8, Article IV, of the Constitution of Nebraska, I, Norbert T. Tiemann, as Governor of the State of Nebraska, believing that an extraordinary occasion had arisen, did heretofore on December 6, 1967, call the Legislature of Nebraska to convene in extraordinary session at the State Capitol January 3, 1968, at nine o'clock a.m., for the purpose of considering and enacting certain legislation, and,

WHEREAS, the Secretary of State, Frank Marsh, has now advised me by his certificate dated December 29, 1967, that more than twenty-nine members of the Nebraska Legislature have lodged with him their positive statements in writing requesting that the Legislature meet in special session for certain purposes hereinafter set out, all as provided by law, and

WHEREAS, such purposes as certified to me by the Secretary of State do include the purposes set forth in my call of December 6, 1967, as well as certain additional purposes;

NOW, THEREFORE, I do hereby withdraw my call for an extraordinary session issued on December 6, 1967, and direct that it be superseded by the call requested by members of the Legislature as certified to me by the Secretary of State, and

FURTHER, as provided by law and in accordance with such request by the appropriate number of members of the Legislature, I, Norbert T. Tiemann, as Governor of the State of Nebraska do hereby call the Legislature of Nebraska to convene in extraordinary session at the State Capitol on January 3, 1968, at nine o'clock a.m., for the purpose of considering, and if deeming it advisable, enacting legislation relating to the following subjects:

1. The amendment or repeal of Section 5-101, Reissue Revised Statutes of Nebraska, 1943, as amended by Chapter 10, Section 1, Laws of Nebraska, 1961, relating to Congressional Districts.

2. To amend or repeal Article 6, Chapter 48, Reissue Revised Statutes of Nebraska, 1943, as amended.

3. To appropriate funds for the necessary expenses of the extraordinary session herein called.

I direct that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by mailing to each of them a copy of this Proclamation.

IN WITNESS WHEREOF, I have herewith set my hand and caused the Great Seal of the State of Nebraska to be affixed this 30th day of December, 1967.

(Signed) Norbert T. Tiemann

(SEAL)

(Signed) Frank Marsh  
Secretary of State

#### MOTION—Officers

Mr. President: I move that the officers elected for the 77th Session, be retained for this, the 78th (Extraordinary) Session:

Chief Clerk of the Legislature  
Assistant Clerk of the Legislature  
Sergeant at Arms  
Assistant Sergeant at Arms  
Chaplain

(Signed) Jerome Warner

The motion prevailed with 45 ayes, 0 nays and 4 not voting.

**MOTION—Rules**

Mr. President: I move that the rules of the 77th Session be used in this, the 78th (Extraordinary) Session with the exception of the number of officers as provided in the motion previously adopted regarding the officers.

(Signed) Arnold Ruhnke

The motion prevailed with 46 ayes, 0 nays and 3 not voting.

**MESSAGE FROM THE GOVERNOR**

December 29, 1967

The President, the Speaker  
and Members of the Legislature  
State Capitol  
Lincoln, Nebraska

Gentlemen:

I request permission to address your honorable body.

Respectfully,

(Signed) Norbert T. Tiemann  
Governor  
State of Nebraska

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**MOTION—Notify Governor**

Mr. President: I move that the President appoint a committee of five to notify the Governor that the Legislature is now organized and ready to receive communications and to escort him to the chamber.

(Signed) Elvin Adamson

The motion prevailed and the President appointed the following members to serve on said committee: Adamson, Carpenter, Hughes, Orme and Burbach.

**Ease**

The Legislature was at ease from 9:16 a.m. until 9:22 a.m.

**Escort Governor**

The committee escorted Governor Norbert T. Tiemann to the rostrum where he delivered the following:

**MESSAGE TO THE LEGISLATURE**

Mr. President, Mr. Speaker, and Senators of the  
Extraordinary Session of the Nebraska Legislature:

You convene this 3rd day of January 1968 in the 101st year of our statehood in extraordinary session to begin deliberations seeking the solutions to problems thrust upon you by judicial action and by the course of economic change.

A panel of federal judges handed down a decision that makes mandatory the redrawing of Nebraska's three congressional districts. The judicial opinion, well written and explicit, gives you well defined guidelines to follow in carrying out your important task.

The distinguished panel rendered unconstitutional the apportionment action of the 1961 Legislature, thus making it necessary for this body to correct a legislative wrong enacted four sessions ago.

Investigation reveals that to achieve a proper balance between congressional districts about 30,000 Nebraska citizens should be transferred from the 1st to the 3rd district and approximately 20,000 of our inhabitants shifted congressionally from the 1st to the 2nd district.

There are many combinations of distribution that in my judgment will satisfy the court—probably something over twenty in number. These many combinations will generally yield a disparity of population between the most populous district and the least populous of about 3% or less. This disparity figure should be in your minds during the debate that shall ensue and most certainly a low disparity figure guided the learned judges.

The reapportionment task facing you is not a difficult one considering certain guidelines are followed and I respectfully submit them to you:

1. That only contiguous counties should be shifted and only county lines followed.
2. A minimum of geographic and population dislocation should be the result of your deliberations.
3. A disparity factor of 3% or less between high and low population figures in the districts.

4. That you studiously avoid introducing extraneous factors that are not in the public interest but may serve special interests only.

5. That the figures of the 1966 census estimate of the University of Nebraska Bureau of Business Research be utilized and not the 1960 figure of the Department of Commerce. The 1966 figures were sanctioned for use by the panel of judges.

Following these suggestions should enable this body to write legislation that will withstand the test of constitutionality.

This Legislature in the last regular session wrote new and re-wrote old history—long time observers have indicated that this body shall forever stand as a land mark Legislature and that our next 100 years of history will use 1967 as a bench mark. You have gained that great stature because you solved difficult problems with courage, wisdom, tenacity, and a sense of dedication.

In light of history you can solve this problem easily and quickly. It must be solved by you and not by the courts because this is your responsibility.

The committee escorted the Governor from the Chamber.

#### **Visitors**

Mr. Marvel introduced 29 students from the Government Class of the Junior High School in Hastings and their teacher Mrs. Schimek.

Mr. Matzke introduced 102 students and 3 teachers from Seward High School.

### **MESSAGES FROM THE GOVERNOR**

September 18, 1967

Mr. President, Mr. Speaker and  
Members of the Legislature

Please be informed that I have made the following appointments:

#### **Liquor Control Commission**

Thomas Cheslak, Omaha, appointed to complete the term of Francis Robinson, deceased

#### **Game Commission**

Francis Hanna, Thedford, appointed to a five year term replacing Rex Stotts, Cody, whose term expires

**Highway Advisory Commission**

LeRoy Thom, Hastings, appointed to a six year term, replacing J. R. McBride, Minden, whose term expired  
Dan Ramsey, Scottsbluff, reappointed to a six year term

**State Board of Health**

C. Winfield Saults, R.P., Gordon, appointed to a three year term replacing George R. Myers of Gering  
Richard E. Garlinghouse, M.D., Lincoln, appointed to a three year term, replacing Louis W. Gilbert, M.D., Lincoln  
B. J. Moran, D.D.S., Lincoln, appointed to a three year term, replacing Howard Yost, D.D.S., Grand Island  
Dr. C. Eugene Brown, Nebraska City, Osteopath, appointed to a three year term (new appointment)  
Sister Paschala Noonan, McCook, Registered Nurse, appointed to a three year term (new appointment)

**Oil and Gas Conservation Commission**

Ray L. Smith, Chappell, reappointed for a four year term

**State Investment Advisory Council (New)**

Dale Tinstman, Lincoln, appointed to a one year term  
A. W. Griffin, Lincoln, appointed to a two year term  
L. Frederick Hobel, Omaha, appointed to a three year term  
Henry Kosman, Scottsbluff, appointed to a four year term  
K. E. Emanuelson, Omaha, appointed to a five year term

Respectfully,

(Signed) Norbert T. Tiemann  
Governor

It

October 11, 1967

Mr. President, Mr. Speaker and  
Members of the Legislature

Please be informed that I have appointed the following to the Clean Waters Commission:

Drexel Sibbernson, Omaha, appointed to serve until January 1, 1969  
E. Bruce Meier, Omaha, appointed to serve until January 1, 1970  
William Mountford, Red Cloud, appointed to serve until January 1, 1971

Dake Novotny, Alliance, appointed to serve until January 1, 1972  
Richard Duxbury, Lincoln, appointed to serve until January 1, 1972

Respectfully,

(Signed) Norbert T. Tiemann  
Governor

It

November 24, 1967

Mr. President, Mr. Speaker and  
Members of the Legislature

Dear Senators:

Please be informed that I have made the following appointments:

Dale F. Sailors of Omaha, Motor Vehicles Dealers License Board  
replacing John Adkins of Omaha. This is a 3 year term.

Wesley Hansen, North Platte, Educational Television Commission,  
replacing Robert Minnick of Alliance. This is a 6 year term,  
effective October 18, 1967.

John A. Prasch, Lincoln, Educational Television Commission, replacing  
Steven N. Watkins of Lincoln. This is a 6 year term, effective  
October 18, 1967.

Leonard Peterson, Alliance, Educational Television Commission,  
replacing Mrs. Joyce Purtzer of Scottsbluff. This is a 6 year  
term, effective October 18, 1967.

Respectfully,

(Signed) Norbert T. Tiemann  
Governor  
State of Nebraska

bh

December 22, 1967

Mr. President, Mr. Speaker and  
Members of the Legislature

Please be informed that I have made the following appointments:

**Educational Television Commission**

Wesley Hansen, North Platte, appointed to a six year term, replacing  
Robert Minnick, whose term expired.

John C. Prasch, Lincoln, appointed to a six year term, replacing  
Steven Watkins, whose term expired.

Leonard Peterson, Alliance, appointed to a six year term, replacing Mrs. Joyce Purtzer, whose term expired.

**Educational Lands and Funds**

John Cassel, Ainsworth, appointed to a two year term, replacing H. L. Blackledge, who resigned.

**Motor Vehicle Dealers' License Board**

Dale F. Sailors, Omaha, appointed to a three year term, replacing John Adkins whose term expired.

**Public Welfare & Public Institutions Advisory Committee**

Everett Yost, Milford, replacing William McCormick who resigned. His term expires January 1, 1969.

**State Board of Health**

A. A. Liddolph, D.V.M., Lincoln appointed to replace Dr. R. L. Sweat who resigned. The term runs to September 13, 1969.

Respectfully,

(Signed) Norbert T. Tiemann  
Governor

December 29, 1967

Mr. President, Mr. Speaker and  
Members of the Legislature

Dear Senators:

Please be informed that I have appointed Dr. Bruce Cowgill, Silver Creek, Nebraska, to the Game, Forestation and Parks Commission, replacing A. H. Story of Plainview, whose term expires January 15, 1968. This is a five year appointment.

Respectfully,

(Signed) Norbert T. Tiemann  
Governor

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**BILLS ON FIRST READING**

The following bills were read the first time by title:

**LEGISLATIVE BILL 1.** By Henry F. Pedersen, Jr., Legislative District 4.

A BILL FOR AN ACT relating to apportionment; to reapportion the state for the election of Representatives from the State of

Nebraska to the Congress of the United States; to amend section 5-102, Reissue Revised Statutes of Nebraska, 1943; to repeal the original section and also section 5-101, Reissue Revised Statutes of Nebraska, 1943, and Laws 1961, Chapter 10, section 1; and to declare an emergency.

**LEGISLATIVE BILL 2.** By Jerome Warner, Legislative District 25.

A BILL FOR AN ACT relating to apportionment; to reapportion the state for the election of Representatives from the State of Nebraska to the Congress of the United States; to amend section 5-102, Reissue Revised Statutes of Nebraska, 1943; to repeal the original section and also section 5-101, Reissue Revised Statutes of Nebraska, 1943, and Laws 1961, Chapter 10, section 1; and to declare an emergency.

**LEGISLATIVE BILL 3.** By Terry Carpenter, Legislative District 48.

A BILL FOR AN ACT to amend section 48-652, Reissue Revised Statutes of Nebraska, 1943, relating to employment security; to provide for refund of any balance remaining in any employer's experience account terminated as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 4.** By Edward R. Danner, Legislative District 11; William R. Skarda, Jr., Legislative District 7; Eugene T. Mahoney, Legislative District 5; Harold T. Moylan, Legislative District 6 and Bill K. Bloom, Legislative District 20.

A BILL FOR AN ACT to amend section 48-628, Revised Statutes Supplement, 1965, as amended by section 1, Legislative Bill 888, Seventy-seventh Session, Nebraska State Legislature, 1967, relating to employment security; to remove a disqualification for benefits; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 5.** By J. James Waldron, Legislative District 5.

A BILL FOR AN ACT relating to apportionment; to reapportion the state for the election of Representatives from the State of Nebraska to the Congress of the United States; to amend section 5-102, Reissue Revised Statutes of Nebraska, 1943; to repeal the original section and also section 5-101, Reissue Revised Statutes of Nebraska, 1943, and Laws 1961, Chapter 10, section 1; and to declare an emergency.

**LEGISLATIVE BILL 6.** By Richard D. Marvel, Legislative District 33 and George C. Gerdes, Legislative District 49.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventy-eighth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of nine thousand six hundred seventy dollars therefor; and to declare an emergency.

### RESOLUTIONS

**LEGISLATIVE RESOLUTION 1.** Re: Employment of Dr. Perl

Introduced by Fred W. Carstens, Legislative District 30.

WHEREAS, the 1967 session of the Nebraska State Legislature adopted Legislative Resolution 66 providing for the appointment of a Legislative Council committee to study problems of crime in Nebraska; and

WHEREAS, such resolution authorized the committee to "employ such necessary secretarial and staff help to conduct a thorough investigation", but no appropriation for such purpose was made; and

WHEREAS, Dr. William Perl, noted sociologist and criminologist with extensive and varied experience, both academic and practical, in the field of crime, is available for employment by the committee for a total compensation of \$18,000.00; and

WHEREAS, the Executive Board of the Legislative Council has declined to authorize the employment of Dr. Perl without the specific approval of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH (EXTRAORDINARY) SESSION ASSEMBLED:

1. That the Legislature approves the employment of Dr. Perl upon the terms stated.

### Visitors

Mr. Simpson introduced thirty 5th Grade students from Belmont Elementary School, Lincoln and their teacher Mrs. Boehmer.

### Recess

The Legislature recessed at 9:44 a.m. until 10:15 a.m.

**After Recess**

The Legislature reconvened at 10:20 a.m., President Everroad presiding.

The roll was called and all members were present except Messrs. Brauer and Nore, who were excused.

**REFERENCE COMMITTEE REPORT**

LB                      Committee

- 1..... Government and Military Affairs
- 2..... Government and Military Affairs
- 3..... Labor
- 4..... Labor
- 5..... Government and Military Affairs

(Signed) John E. Everroad,  
Lieutenant Governor

**MOTION—Suspend Rules**

Mr. Marvel moved to suspend the rules to place LB 6 on General File without a public hearing.

The motion prevailed with 46 ayes, 0 nays and 3 not voting.

**NOTICE OF COMMITTEE HEARINGS****Committee on Committees**

December 29, 1967

The Committee on Committees will meet at 1:15 P.M. on Friday, January 5, 1968 in the Supreme Court Hearing Room for the purpose of hearing appointments submitted by Governor Norbert T. Tiemann, as follows:

L. F. Hoebel—State Investment Advisory Council  
Dr. B. J. Moran—State Board of Health  
Dale Tinstman—State Investment Advisory Council

(Signed) Eric Rasmussen, Chairman  
Committee on Committees

January 3, 1968

The Committee on Committees will meet at 1:15 P.M. on Monday, January 8, 1968, in the Supreme Court Hearing Room for the purpose of hearing appointments submitted by Governor Norbert T. Tiemann, as follows:

C. Winfield Saults—State Board of Health  
 E. K. Emanuelson—State Investment Advisory Council  
 A. W. Griffin—State Investment Advisory Council  
 Henry Kosman—State Investment Advisory Council  
 LeRoy Thom—Highway Advisory Commission  
 Dan Ramsey—Highway Advisory Commission

(Signed) Eric Rasmussen, Chairman  
 Committee on Committees

Mr. E. Rasmussen moved to suspend the rules to consider the above appointments on the dates listed.

The motion prevailed with 46 ayes, 0 nays and 3 not voting.

#### **MOTION—Suspend Rules**

Messrs. Carpenter and Danner moved to suspend the rules to hold a public hearing on LB 1, LB 2 and LB 5 before the Government and Military Affairs Committee at 2:00 p.m., Friday, January 5, 1968 and a public hearing on LB 3 and LB 4 at 9:00 a.m., Friday, January 5, 1968 before the Labor Committee.

The motion prevailed with 44 ayes, 0 nays and 5 not voting.

#### **UNANIMOUS CONSENT—Committee of the Whole**

Mr. Carpenter asked unanimous consent that the members meet, as a Committee of the Whole, with the Attorney General and his staff Thursday, January 4, 1968 at 2:30 p.m. in the Chamber to discuss the legal problems pertaining to the bills introduced today. No objections. So ordered.

#### **RESOLUTIONS**

##### **LEGISLATIVE RESOLUTION 2. Re: Meat Packing Plant Operations**

Introduced by Edward R. Danner, 11th District.

WHEREAS, the Armour Packing Company, has announced the closing of the Omaha and West Point Plant operations March 29, 1968; and

WHEREAS, the Armour closing parallels the shutdown of the Cudahy Packing Company and some small slaughter houses; and

WHEREAS, the continuous loss of industry from the state will have an adverse effect on the economy of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS

OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH EXTRAORDINARY SESSION ASSEMBLED:

1. That the Executive Board of the Legislative Council appoint an interim study committee to make a comprehensive study to determine the reasons for the apparent exodus of the large packers from the state; and

2. That the committee recommend appropriate legislation which would encourage new industry to locate and maintain, the already domiciled.

**LEGISLATIVE RESOLUTION 3.** Re: Interconnection Between Capitol Building and New Office Building

Introduced by Elvin Adamson, 43rd District.

WHEREAS, the Legislature of Nebraska in its seventy-seventh regular session authorized an agreement with the city of Lincoln for construction of a new office building to meet the needs of the state for additional office space; and

WHEREAS, the Legislature and the State Building Commission have determined that this building should be located on the block bounded by 14th, 15th, L, and M Streets in the city of Lincoln; and

WHEREAS, this location is one block north of the Capitol Building; and

WHEREAS, there is need for frequent communication and movement of persons and material between the offices located in the Capitol Building and the offices to be located in the new building; and

WHEREAS, two of the major arterial streets in the city of Lincoln are located between the Capitol Building and the site of the new building.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH EXTRAORDINARY SESSION ASSEMBLED:

1. That the greatest efficiency and safety in the conduct of state affairs in future years requires the construction of an interconnection between the Capitol Building and the new office building, such interconnection to accommodate the movement of personnel, supplies and equipment between the two buildings.

**MOTION—Suspend Rules**

Mr. Carpenter moved to suspend the rules to consider the Resolutions that were introduced today.

The motion prevailed with 37 ayes, 5 nays and 7 not voting.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 1.**

Mr. Payne requested a record vote on the adoption of LR 1.

Voting in the affirmative, 35:

Adamson	Harsh	Matzke	Stryker
Bloom	Hasebroock	Moulton	Swanson
Budd	Hughes	Moylan	Syas
Carpenter	Klaver	Rasmussen, E.	Viehmeyer
Carstens	Knight	Rasmussen, R.	Waldron
Danner	Kremer	Reynolds	Warner
Elrod	Luedtke	Robinson	Whitney
Ely	Mahoney	Simpson	Wylie
Gerdes	Marvel	Skarda	

Voting in the negative, 12:

Batchelder	Holmquist	Orme	Proud
Burbach	Kjar	Payne	Ruhnke
Fleming	Kokes	Pedersen	Wallway

Not voting, 2:

Brauer	Nore
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LR 1 was adopted.

**Recess**

At 11:53 a.m., on a motion by Mr. Carpenter, the Legislature recessed until 2:00 p.m.

**After Recess**

The Legislature reconvened at 2:00 p.m., President Everroad presiding.

The roll was called and all members were present except Messrs. Brauer, Nore, Pedersen, Mrs. Orme and Messrs. Kokes and Waldron who were excused until 2:30 p.m.

**MOTION—Introduction of Bills**

Mr. E. Rasmussen moved that after adjournment today, this be considered the cut-off date for introduction of bills.

The motion prevailed with 39 ayes, 0 nays and 10 not voting.

**UNANIMOUS CONSENT—Hearing Room Change**

Mr. Danner asked unanimous consent to hold the Labor Committee hearing scheduled for Friday morning, January 5th, in the West Senate Chamber.

No objections. So ordered.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 2.**

Mr. Danner asked unanimous consent to withdraw LR 2.

Mr. Burbach objected.

Mr. Danner moved to indefinitely postpone LR 2.

The motion prevailed with 36 ayes, 2 nays and 11 not voting.

**LEGISLATIVE RESOLUTION 3.**

LR 3 was adopted with 40 ayes, 0 nays and 9 not voting.

**MOTIONS—Suspend Rules**

Mr. Danner moved to suspend the rules and to withdraw LB 4 and to cancel the hearing date.

The motion prevailed with 44 ayes, 0 nays and 5 not voting.

Mr. Carpenter moved to suspend the rules and to withdraw LB 3 and cancel the hearing date.

The motion prevailed with 41 ayes, 0 nays and 8 not voting.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 4. Re: Kearney State College Campus Construction**

Introduced by Leslie Robinson, Legislative District 36, Jerome Warner, Legislative District 25, George C. Gerdes, Legislative District 49 and George H. Fleming, Legislative District 47.

WHEREAS, pursuant to the provisions of Chapter 85, article 4, Reissue Revised Statutes of Nebraska, 1943, the Board of Education

of State Normal Schools of the State of Nebraska has submitted to the Legislature its plans for a four hundred bed dormitory complex and food service facilities, a new athletic stadium and a twelve hundred hard-surface car parking facility to be constructed on the campus of the Kearney State College, including financing plans; and

WHEREAS, the Board of Education of State Normal Schools of the State of Nebraska proposes to finance the cost of construction of said facilities by the issuance of its revenue bonds in the principal amount of not exceeding \$3,500,000 under the board's basic bond authorizing resolution, dated as of June 15, 1966.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH EXTRAORDINARY SESSION ASSEMBLED:

1. That pursuant to section 85-404, Reissue Revised Statutes of Nebraska, 1943, it hereby approves the plans of the Board of Education of State Normal Schools as set forth in a letter from said board, dated January 4, 1968, addressed to the Speaker of the Legislature, for the construction of a four hundred bed dormitory complex and food service facilities, a new athletic stadium, and a twelve hundred hard-surfaced car parking facility on the campus of the Kearney State College at Kearney, Nebraska, including the financing plans for such construction as set forth in said letter.

Mr. Robinson moved to suspend the rules to consider LR 4.

The motion prevailed with 33 ayes, 2 nays and 14 not voting.

Mr. Knight moved to refer LR 4 to a committee for public hearing.

Mr. Stryker moved to indefinitely postpone LR 4.

The motion lost with 10 ayes, 31 nays and 8 not voting.

The Knight motion prevailed with 32 ayes, 8 nays and 9 not voting.

#### Visitors

Mr. Mahoney introduced Sergeant Dick Beal from Omaha who expressed his thanks to the members for the State Flag sent his battalion while in Vietnam.

Mr. Klaver introduced Beth Kaiser, Louise Turner, Edna Connally, Marie Townsend and Angia Gutierrez from the Omaha Women's Job Corps.

**MOTION—Adjournment**

Mr. Carpenter moved to adjourn sine die.

Motion laid over.

**UNANIMOUS CONSENT—Change Hearing Dates**

Mr. Harsh asked unanimous consent to change the hearing on LB 1, LB 2 and LB 5 from 2:00 p.m. until 9:00 a.m., Friday, January 5, 1968.

No objections. So ordered.

**NOTICE OF COMMITTEE HEARINGS****Committee on Committees**

January 3, 1968

Mr. President:

The Committee on Committees will meet at 1:15 p.m. on Tuesday, January 9, 1968, in the Supreme Court Hearing Room for the purpose of hearing appointments submitted by Governor Norbert T. Tiemann, as follows:

Richard Duxbury—Clean Waters Commission  
E. Bruce Meier—Clean Waters Commission  
William Mountford—Clean Waters Commission  
Dake Novotny—Clean Waters Commission  
Drexel Sibbernson—Clean Waters Commission  
Wesley Hansen—Educational Television Commission  
John A. Prasch—Educational Television Commission  
Leonard Peterson—Educational Television Commission  
Dr. A. A. Liddolph—State Board of Health  
Everett Yost—Public Welfare and Public Institutions Advisory Committee

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
Committee on Committees

January 3, 1968

Mr. President:

The Committee on Committees will meet at 1:15 P.M. on Wednesday, January 10, 1968, in the Supreme Court Hearing Room for the purpose of hearing appointments submitted by Governor Norbert T. Tiemann, as follows:

Dr. Richard E. Garlinghouse—State Board of Health

Francis Hanna—Game, Forestation and Parks Commission  
Dr. Bruce Cowgill—Game, Forestation and Parks Commission

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
Committee on Committees

**Adjournment**

At 4:40 p.m. on a motion by Mr. Wylie, the Legislature adjourned until 10:00 a.m., Thursday, January 4, 1968.

Hugo F. Srb  
Clerk of the Legislature

**LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION**

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**SECOND DAY**

---

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 4, 1968

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Everroad presiding.

Prayer was offered by the Chaplain.

**Prayer**

O Lord our God, as in the beginning Thou didst create parts of the universe, may this legislature see the significance of new beginnings. May we ever be knowledgeable about past issues, but ever seeking to be responsive to new views and make the right evaluation of them. Wilt Thou give to each of these lawmakers a disturbing, yet deep, sense of this sacred trust. While visibly debating with each other, may there ever be the larger view of the thousands in our state whose earthly destiny, in large degree, depends upon what takes place in this chamber. So may our integrity be deepened and our mental and spiritual vision be widened. We pray in our Lord's name. Amen.

The roll was called and all members were present except Mrs. Orme, Messrs. Brauer, Knight, Proud and Skarda, who were excused.

**Corrections for the Journal**

Page 9, line 17, correct spelling of "Norbert".

Page 15, line 2, delete "UNANIMOUS CONSENT" and insert "MOTION".

Page 16, line 29, delete "and" and insert a comma.

Page 16, line 30, delete the period and insert ", George C. Gerdes, Legislative District 49 and George H. Fleming, Legislative District 47."

Page 18, line 8, delete "8" and insert "5".

The Journal for the First Day was approved as corrected.

**REFERENCE COMMITTEE REPORT**

Committee

LR 4.....Budget

(Signed) John E. Everroad  
Lieutenant Governor

**UNANIMOUS CONSENT—Withdraw Motion**

Mr. Carpenter asked unanimous consent to withdraw his pending motion to adjourn sine die, temporarily, and when we recess this morning we recess until 2:30 p.m.

No objections. So ordered.

**UNANIMOUS CONSENT—Committee Meeting**

Mr. Batchelder asked unanimous consent to hold a meeting of the Committee on Discrimination in Acquisition of Property in the West Senate Lounge immediately after recess this morning.

No objections. So ordered.

**Ease**

The Legislature was at ease from 10:24 a.m., until 10:41 a.m.

**MOTION—Suspend Rules**

Mr. Marvel moved to suspend the rules to hold a hearing on LR 4 at 1:00 p.m. this afternoon in the West Senate Lounge.

The motion prevailed with 37 ayes, 2 nays and 10 not voting.

**Announcement**

Mr. Adamson announced a meeting of the Space Committee with Building Commission Committee at 3:00 p.m., Friday, January 5, 1968 in the Governor's Hearing Room.

**GENERAL FILE**

**LEGISLATIVE BILL 6.** Read and Considered.

Advanced to E and R for review with 39 ayes, 0 nays and 10 not voting.

**Recess**

At 10:55 a.m., on a motion by Mr. Carpenter, the Legislature recessed until 2:30 p.m.

**After Recess**

The Legislature reconvened at 2:35 p.m., President Everroad presiding.

The roll was called and all members were present except Mrs. Orme, Messrs. Brauer, Mahoney, Proud and Skarda who were excused.

**STANDING COMMITTEE REPORTS****Enrollment and Review**

**LEGISLATIVE BILL 6.** Placed on Select File as amended.

E and R amendment to LB 6:

1. In section 2, line 1, insert a comma after "itemized".

(Signed) Roland A. Luedtke, Chairman

**President Signs**

While the Legislature was in session and capable of transacting business, the President signed: LR 1 and LR 3.

**Visitors**

Mr. Holmquist introduced his daughter, Mrs. Thomas Fitchett and his granddaughter, Jennifer.

**Recess**

At 2:39 p.m., on a motion by Mr. Carpenter, the Legislature recessed until 3:45 p.m.

**After Recess**

The Legislature reconvened at 3:19 p.m., Speaker Adamson presiding.

The roll was called and all members were present except Mrs. Orme, Messrs. Batchelder, Brauer, Klaver, Proud and Skarda who were excused.

**STANDING COMMITTEE REPORT****Budget**

**LEGISLATIVE RESOLUTION 4.** Indefinitely postponed.

(Signed) Richard D. Marvel, Chairman

**MOTION—Adjournment**

Mr. Carpenter moved to adjourn sine die.

Mr. Carpenter asked unanimous consent to withdraw his motion.  
No objections. So ordered.

**Member Excused**

Mr. Ely asked unanimous consent to be excused Friday afternoon.  
No objections. So ordered.

**Adjournment**

At 3:40 p.m., on a motion by Mr. Ruhnke, the Legislature adjourned until 2:00 p.m., Friday, January 5, 1968.

Hugo F. Srb  
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION

THIRD DAY

---

Legislative Chamber, Lincoln, Nebraska  
Friday, January 5, 1968

Pursuant to adjournment, the Legislature met at 2:00 p.m.,  
Speaker Adamson presiding.

Prayer was offered by the Chaplain.

**Prayer**

Eternal God, in spite of the frustrations which build up between our ordinary work for making a living, our responsibilities elsewhere and to our families, and these legislative duties now before us, give us a basic consistency throughout our living. May our minds not be scattered about with many issues at once, but concentrated on those things that matter most, so that at any given time we may say, this one thing I do. May we not be distraught with a multiplicity of decisions. Give us the ability to be dedicated to our work while we are here. Take from us half-hearted loyalties and divided interests. May our involvement in the welfare of this state be total. Amen.

The roll was called and all members were present except Messrs. Bloom, Danner, Klaver, Moulton, Moylan and Proud, who were excused.

The Journal for the Second Day was approved.

**Message from the Governor**

January 4, 1968

Mr. President, Mr. Speaker and  
Members of the Legislature

Please be informed that I have appointed Mr. Harold Rogers of Omaha as Director of the Department of Public Welfare, replacing E. Clinton Belknap who has resigned. The appointment will become effective January 16, 1968.

Respectfully,  
(Signed) Norbert T. Tiemann  
Governor

Referred to the Committee on Committees.

**NOTICE OF COMMITTEE HEARINGS**

**Committee on Committees**

**(Amended)**

January 5, 1968

Mr. President:

In addition to the notice previously given, the Committee on Committees will be hearing the following appointment submitted by Governor Norbert T. Tiemann:

Harold Rogers—Director of the Department of Public Welfare on January 10, 1968, at 1:15 P.M., Supreme Court Hearing Room.

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
Committee on Committees

**Members Excused**

Mr. Viehmeyer asked unanimous consent to be excused at 3:30 p.m. No objections. So ordered.

Mr. Nore asked unanimous consent to be excused at 4:00 p.m. No objections. So ordered.

**SELECT FILE**

**LEGISLATIVE BILL 6.** E and R amendment found in the Legislative Journal for the Second Day was adopted.

Advanced to E and R for engrossment.

**Recess**

At 2:07 p.m., on a motion by Mr. Carpenter, the Legislature recessed until 3:30 p.m.

**After Recess**

The Legislature reconvened at 3:30 p.m., Mr. E. Rasmussen presiding.

The roll was called and all members were present except Messrs. Bloom, Carpenter, Danner, Ely, Klaver, Moulton, Moylan, Proud and Stryker, who were excused.

**Member's Birthday**

Mr. Wylie announced that yesterday was Mr. Luedtke's birthday. The members sang Happy Birthday to him.

**Recess**

The Legislature recessed at 3:34 p.m. until 3:47 p.m.

**After Recess**

The Legislature reconvened at 3:47 p.m., Speaker Adamson presiding.

The roll was called and all members were present except Messrs. Bloom, Carpenter, Danner, Ely, Klaver, Moulton, Moylan and Proud, who were excused.

**STANDING COMMITTEE REPORTS****Enrollment and Review**

**LEGISLATIVE BILL 6.** Correctly engrossed.

(Signed) Roland A. Luedtke, Chairman

**Adjournment**

At 3:53 p.m., on a motion by Mr. Elrod, the Legislature adjourned until 9:00 a.m., Monday, January 8, 1968.

Hugo F. Srb  
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION

FOURTH DAY

---

Legislative Chamber, Lincoln, Nebraska  
Monday, January 8, 1968

Pursuant to adjournment, the Legislature met at 9:00 a.m.,  
President Everroad presiding.

Prayer was offered by the Chaplain.

**Prayer**

Eternal God, as our state now enters its second century of progress, may we be grateful for all those hardy pioneers who have built so well in the past, and may we, too, be pioneers of a new age for our state. We, as members of this body, who this past year have accomplished so much, made so many decisions, enacted so many measures, continue in all our thinking and acting to strive for a deepening in the things of the mind and the spirit. For what does it profit us if we can till our farms, erect great cities, lay new highways, but fail to develop character, ideals and lofty goals? May we as a people not merely stand up for our rights, but be willing to stoop down in compassion for all people. In our Lord's name. Amen.

The roll was called and all members were present except Mr. Batchelder who was excused; Messrs. Bloom until 10:00 a.m. and Carstens until 11:00 a.m.

The Journal for the Third Day was approved.

**STANDING COMMITTEE REPORTS**

**Government and Military Affairs**

**LEGISLATIVE BILL 1.** Placed on General File as amended.

Standing Committee amendment to LB 1:

1. Amend Section 1 of the bill, line 7 to read as follows:

*"Johnson, Pawnee, Gage, Lancaster, Otoe, Saline, Burt,".*

2. Amend Section 1, line 11 to read as follows:

*"trict. The counties of Douglas, Sarpy, Cass, Saunders,".*

(Signed) Terry Carpenter, Chairman

**UNANIMOUS CONSENT—Address Legislature**

Mr. Gerdes asked unanimous consent to have the President of the Midwestern Regional Council of State Governments address the Legislature Wednesday a.m.

No objections. So ordered.

**GENERAL FILE****LEGISLATIVE BILL 1. Read and considered.**

Mr. Carpenter moved the adoption of the Standing Committee amendments found in this Day's Journal.

**Ease**

The Legislature was at ease from 9:29 a.m., until 9:55 a.m.

**Invitation**

Mr. Adamson announced that Col. Krueger of the Nebraska State Patrol has invited the members to attend a tour of the Patrol Training Grounds, Tuesday, January 9, 1968 at 2:00 p.m. and transportation would be furnished.

**Visitors**

Mrs. Orme introduced 25 seniors from College View Academy, Lincoln; Mr. D. Holtz, teacher and Dr. G. E. Thompson, Superintendent.

Mr. Warner introduced 22 seniors from the American Government Class of Elmwood and teacher, Mrs. Dale Kunz.

Mr. Pedersen introduced 8th grade students from Arbor Heights Junior High School, Omaha, and sponsors.

**GENERAL FILE****LEGISLATIVE BILL 1. Considered.**

Mr. Carpenter moved to have the following material printed in the Journal and copies made for each member.

**MEMORANDUM**

To: Senator Arnold Ruhnke  
From: James E. Dunlevey  
Re: Reapportionment

I have developed the population for all of Nebraska's 93 counties, using the official 1960 census and the estimates of the Univer-

sity of Nebraska Bureau of Business Research for the years 1961 through 1966. My figures are solely mathematical computations, and are determined on the basis of the average yearly gain or loss of population in each county as shown in the University estimates.

While the University figures show considerable year-to-year fluctuation in some counties, the average gain or loss between 1960 and 1966 in most cases corresponds fairly closely to the average yearly gain or loss between 1950 and 1960. Generally, the larger counties are gaining at a more rapid rate in the last six years than they did between 1950 and 1960, or have reduced their rate of loss. The most striking changes are in Cheyenne and Kimball counties, probably explained by the oil and missile site developments in the 1950s, and the reduction in these activities in the 1960s.

In the second district, the average yearly growth in Washington, Douglas, and Sarpy counties is higher in the last six years than it was in 1950-1960.

Generally this also is true of the first district counties bordering on the third district. Madison and Platte counties are now averaging greater yearly gains than they did in 1950-60, while Knox, Pierce and York have reversed a pattern of losing population and are now gaining.

Based on the projection of average yearly gains and losses, the state population at the end of 1967 would be 1,531,266, and at the end of 1968 would be 1,548,608. This would provide a 1967 ideal congressional district of 510,433, and a 1968 district of 516,203.

The developed totals for the present three districts would be:

	1967	1968
First	558,232	562,400
Second	498,641	512,060
Third	474,393	474,148

The attached tables show the average yearly gain or loss of population in each county in the periods from 1960-66 and 1950-60. They also show the projected 1967 and 1968 populations in each of the three districts.

I am making no claim or conclusion that this method of projecting population will be acceptable to the federal courts.

## LEGISLATIVE JOURNAL

## PRESENT 1st DISTRICT

## Projections

	1967	1968
Knox	13,720	13,780
Pierce	9,164	9,227
Madison	28,790	29,235
Platte	27,539	28,045
Polk	7,035	7,001
York	13,979	14,015
Fillmore	9,131	9,089
Thayer	8,626	8,556
Cedar	13,565	13,593
Wayne	7,672	7,631
Stanton	5,180	5,094
Colfax	9,378	9,347
Butler	9,686	9,597
Seward	14,243	14,337
Saline	12,803	12,840
Jefferson	11,588	11,584
Dixon	7,399	7,298
Cuming	12,336	12,322
Dodge	36,307	36,859
Saunders	17,739	17,806
Lancaster	178,771	182,128
Gage	25,942	25,817
Dakota	13,572	13,772
Thurston	7,175	7,166
Burt	9,438	9,330
Otoe	16,650	16,671
Johnson	6,141	6,121
Nemaha	8,104	7,962
Pawnee	4,730	4,641
Richardson	11,829	11,536
Total	558,232	562,400

## PRESENT 2nd DISTRICT

## Projections

	1967	1968
Washington	13,120	13,265
Douglas	410,209	419,740
Sarpy	57,298	61,014
Cass	18,014	18,041
Total	498,641	512,060

## PRESENT 3rd DISTRICT

## Projections

	1967	1968
Antelope	9,021	8,856
Boone	8,325	8,210
Nance	5,314	5,268
Merrick	8,276	8,264
Hamilton	9,075	9,126
Clay	8,644	8,634
Nuckolls	7,965	7,929
Boyd	3,907	3,821
Holt	13,580	13,560
Garfield	2,451	2,409
Wheeler	1,234	1,225
Valley	6,299	6,258
Arthur	640	634
McPherson	640	627
Logan	1,012	999
Keith	8,309	8,359
Lincoln	29,606	29,675
Perkins	3,639	3,561
Chase	4,030	3,989
Hayes	1,517	1,460
Frontier	3,729	3,646
Dundy	3,268	3,225
Hitchcock	4,468	4,417
Red Willow	13,324	13,337
Blaine	1,067	1,074
Loup	1,023	1,013
Custer	15,421	15,265
Dawson	19,897	20,070
Gosper	2,291	2,263
Phelps	9,721	9,710
Furnas	7,310	7,253
Harlan	4,496	4,413
Cherry	8,044	8,019
Grant	1,016	1,017
Hooker	1,229	1,243
Thomas	815	778
Greeley	4,224	4,171
Sherman	4,632	4,525
Howard	6,500	6,494
Buffalo	28,309	28,605
Hall	41,116	41,881
Kearney	6,487	6,474
Adams	31,283	31,617

	1967	1968
Franklin	4,897	4,818
Webster	5,793	5,732
Keya Paha	1,556	1,540
Brown	4,558	4,575
Rock	2,326	2,294
Sheridan	8,273	8,191
Garden	3,232	3,198
Deuel	2,948	2,923
Dawes	9,337	9,309
Box Butte	10,511	10,343
Morrill	6,629	6,568
Cheyenne	12,944	12,675
Sioux	2,286	2,245
Scotts Bluff	37,269	37,763
Banner	1,145	1,128
Kimball	7,535	7,472
Total	474,393	474,148

## AVERAGE YEARLY GAIN OR LOSS OF POPULATION

	1960-66	1950-60
Adams	+ 334	+ 8.9
Antelope	— 165	— 144.8
Arthur	— 6	— 12.3
Banner	— 17	— 5.6
Blaine	+ 7	— 18.7
Boone	— 115	— 158.7
Box Butte	— 168	— 59.1
Boyd	— 86	— 39.8
Brown	+ 17	— 72.8
Buffalo	+ 296	+ 110.2
Burt	— 108	— 134.4
Butler	— 89	— 112
Cass	+ 27	+ 146
Cedar	+ 28	— 47.5
Chase	— 41	— 85.9
Cherry	— 25	— 17.9
Cheyenne	— 269	+ 274.7
Clay	— 10	+ 1.7
Colfax	— 31	— 41.5
Cuming	— 14	— 55.9
Custer	— 156	— 265.3
Dakota	+ 200	+ 176.7
*Dawes	— 28	— 17.2
Deuel	— 25	— 20.5

	1960-66	1950-60
Dixon	— 101	— 102.3
Dodge	+ 552	+ 620.6
Douglas	+9531	+6247
Dundy	— 43	— 78.4
Filmore	— 42	— 18.5
Franklin	— 79	— 164.7
Frontier	— 83	— 97.1
Furnas	— 57	— 167.4
Gage	= 125	— 123.4
Garden	— 34	— 64.2
Garfield	— 42	— 21.3
Gosper	— 28	— 24.5
Grant	+ 1	— 4.8
Greeley	— 53	— 98
Hall	+ 765	+ 357.1
Hamilton	+ 51	— 6.4
Harlan	— 83	— 210.8
Hayes	— 57	— 48.5
Hitchcock	— 51	— 103.8
Holt	— 20	— 113.7
Hooker	+ 14	+ 6.9
Howard	— 6	— 68.5
Jefferson	— 4	— 200.3
Johnson	— 20	— 97
Kearney	— 13	+ 17.1
Keith	+ 50	+ 50.9
Keya Paha	— 16	— 48.8
Kimball	— 63	+ 369.2
Knox	+ 60	— 152
Lancaster	+3357	+3553
Lincoln	+ 159	+ 111.1
Logan	— 13	— 24.9
Loup	— 10	— 25.1
McPherson	— 13	— 9
Madison	+ 445	+ 80.7
Merrick	— 12	— 44.9
Morrill	— 61	— 120.6
Nance	— 46	— 87.7
Nemaha	— 142	— 187.4
Nuckolls	— 36	— 139.2
Otoe	+ 21	— 55.3
Pawnee	— 89	— 138.8
Perkins	— 78	— 62
Phelps	— 11	+ 75.2
Pierce	+ 63	— 68.3

	1960-66	1950-60
Platte	+ 506	+ 408.2
Polk	— 34	— 83.4
Red Willow	+ 13	— 3.7
Richardson	— 293	— 298.3
Rock	— 32	— 47.2
Saline	+ 37	— 150.4
Sarpy	+3716	+1558.8
Saunders	+ 67	+ 34.7
Scotts Bluff	+ 494	— 13
Seward	+ 94	+ 42.6
Sheridan	— 82	— 49
Sherman	— 107	— 103.9
Sioux	— 41	— 54.9
Stanton	— 86	— 60.4
Thayer	— 70	— 144.5
Thomas	— 37	— 12.8
Thurston	— 9	— 135.3
Valley	— 41	— 66.2
Washington	+ 145	+ 59.2
Wayne	— 41	— 17
Webster	— 61	— 117.1
Wheeler	— 9	— 22.9
York	+ 36	— 62.2
*Dawson	+ 83	+ 1.2

The motion prevailed with 40 ayes, 1 nay and 8 not voting.

Mr. Carpenter moved to divide the question on the Standing Committee amendments. The motion prevailed.

Mr. Carpenter offered the following amendment:

Amend Standing Committee amendment 2 to LB 1, Line 11 of the bill strike "Otoe and Burt".

Mr. Adamson asked for a record vote on the amendment.

Voting in the affirmative, 34:

Bloom	Gerdes	Marvel	Ruhnke
Brauer	Hasebroock	Moulton	Skarda
Budd	Holmquist	Moylan	Stryker
Burbach	Hughes	Nore	Swanson
Carpenter	Kjar	Payne	Viehmeyer
Carstens	Knight	Pedersen	Wallwey
Danner	Kokes	Rasmussen, R.	Warner
Elrod	Kremer	Robinson	Whitney
Fleming	Mahoney		

Voting in the negative, 13:

Adamson	Luedtke	Rasmussen, E.	Syas
Ely	Orme	Reynolds	Waldron
Harsh	Proud	Simpson	Wylie
Klaver			

Not voting, 2:

Batchelder      Matzke

The amendment was adopted.

### Recess

Mr. Carpenter moved to recess until 2:15 p.m.

The motion prevailed with 35 ayes, 0 nays and 14 not voting and at 10:39 a.m., the Legislature recessed until 2:15 p.m.

### After Recess

The Legislature reconvened at 2:15 p.m., President Everroad presiding.

The roll was called and all members were present except Mr. Batchelder, who was excused.

### Visitors

Mr. Pedersen introduced students from Arbor Heights Junior High School, Omaha, and sponsors.

## GENERAL FILE

### LEGISLATIVE BILL 1. Considered.

Mr. Carpenter offered the following amendment in lieu of Standing Committee amendment 1:

1. Amend section 1 of the bill by striking lines 6 to 22 and inserting the following:

*"after provided: The counties of Richardson, Nemaha, Otoe, Johnson, Pawnee, Gage, Lancaster, Saunders, Saline, Jefferson, Thayer, Fillmore, Seward, York, Butler, Dodge, Colfax, Madison, Stanton, Cuming, Burt, Thurston, Wayne, Pierce, Cedar, Knox, Dixon, and Dakota shall constitute the first district. The counties of Douglas, Sarpy, Cass, and Washington shall constitute the second district. The counties of Hamilton, Clay, Nuckolls, Merrick, Nance, Boone, Antelope, Boyd, Holt, Wheeler, Greeley, Howard, Hall, Platte, Polk, Adams, Webster, Kearney, Franklin, Phelps, Harlan, Gosper, Furnas, Buffalo, Sherman,*

*Valley, Garfield, Keya Paha, Rock, Brown, Blaine, Loup, Custer, Dawson, Lincoln, Frontier, Red Willow, Hayes, Hitchcock, Chase, Dundy, Logan, Thomas, Cherry, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff, and Sioux shall constitute the third district."*

The amendment was adopted with 28 ayes, 7 nays and 14 not voting.

The Standing Committee amendments were adopted as amended.

Advanced to E and R for review with 29 ayes, 9 nays and 11 not voting.

### RESOLUTIONS

#### **LEGISLATIVE RESOLUTION 5. Re: In Memory of Marvin M. Lautenschlager**

Introduced by Donald Elrod, 35th District; Leslie Robinson, 36th District and Maurice A. Kremer, 34th District.

WHEREAS, Marvin M. Lautenschlager served as a member of this Legislature through the Sixty-eighth to Seventy-second (Regular and Extraordinary) Sessions; and

WHEREAS, Marvin M. Lautenschlager was the victim of an airplane accident on January 7, 1968, which took his life; and

WHEREAS, Marvin M. Lautenschlager was beloved by all his colleagues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH EXTRAORDINARY SESSION ASSEMBLED:

1. That we stand for a moment of silent tribute to the memory of Marvin M. Lautenschlager.

2. That a copy of this resolution, suitably engrossed be sent to his family.

Mr. Syas moved to suspend the rules to consider the Resolution today.

The motion prevailed.

Mr. Elrod asked unanimous consent to add the names of all the members to LR 5. No objections. So ordered.

LR 5 was adopted with 46 ayes, 0 nays and 3 not voting.

The members stood for a moment of silence in memory of Mr. Lautenschlager.

**MOTION—Send Flowers**

Mr. Adamson moved that flowers be sent to the funeral of Mr. Lautenschlager.

The motion prevailed.

**STANDING COMMITTEE REPORTS**

**Enrollment and Review**

**LEGISLATIVE BILL 1.** Placed on Select File.

(Signed) Roland A. Luedtke, Chairman

**MOTION—Suspend Rules**

Mr. Pedersen moved to suspend the rules and advance LB 1 to E and R for engrossment at this time.

The motion prevailed with 36 ayes, 6 nays and 7 not voting.

LB 1 was advanced to E and R for engrossment.

**Members Excused**

Messrs. Brauer and Danner asked unanimous consent to be excused tomorrow. No objections. So ordered.

**Adjournment**

At 2:46 p.m., on a motion by Mr. Carpenter, the Legislature adjourned until 10:00 a.m., Tuesday, January 9, 1968.

Hugo F. Srb  
Clerk of the Legislature

**LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION**

**FIFTH DAY**

---

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 9, 1968

Pursuant to adjournment, the Legislature met at 10:00 a.m.,  
President Everroad presiding.

Prayer was offered by the Chaplain.

**Prayer**

O God, our Father, may we see clearly through life's maze that it is not what evil deeds we have refrained from doing that give us integrity. It is what positive things we accomplish—what ventures we take—what commitment we give—what decisions we make. May we not be haunted by sitting life out and missing costly valor never won. May life be lived to the full so each member of this legislature finally will hear Thy word: "Well done, thou good and faithful servant; thou hast been faithful over a few things. I will make you ruler over many; enter into the joy of Thy Lord." Amen.

The roll was called and all members were present except Messrs. Batchelder, Brauer, Danner, Mahoney, Pedersen; Messrs. Carstens who was excused until 10:10 a.m. and Knight until 11:00 a.m.

The Journal for the Fourth Day was approved.

**Visitors**

Mr. Wylie introduced Colonel William McKay, Professor of Aerospace Studies, Air Force ROTC, University of Nebraska.

Mr. Matzke introduced 26 Seniors from Milford High School; and teachers, Roger Huss, Rosemary Westphalan and bus driver, Royden Troyer.

**STANDING COMMITTEE REPORTS**

**Enrollment and Review**

**LEGISLATIVE BILL 1.** Correctly engrossed.

(Signed) Roland A. Luedtke, Chairman

**Committee on Committees**

January 8, 1968

Mr. President:

The Committee on Committees desires to report favorably upon the appointments listed below which were submitted by Governor Norbert T. Tiemann. The Committee suggests that the appointments be confirmed by this Legislative Body, and suggests a record vote on each confirmation.

Dr. B. J. Moran—State Board of Health  
 L. F. Hoebel—State Investment Advisory Council  
 Dale C. Tinstman—State Investment Advisory Council  
 K. W. Emanuelson—State Investment Advisory Council  
 Henry Kosman—State Investment Advisory Council  
 A. W. Griffin—State Investment Advisory Council  
 C. Winfield Saults—State Board of Health  
 LeRoy Thom—Highway Advisory Commission  
 Dan Ramsey—Highway Advisory Commission

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
 Committee on Committees

**MOTION—Accept Report**

Mr. E. Rasmussen moved that the report of the Committee on Committees be adopted, and that each appointment be considered separately and by record vote.

The motion prevailed.

**Vote on Dr. Moran**

Voting in the affirmative, 40:

Adamson	Holmquist	Moylan	Skarda
Bloom	Hughes	Nore	Stryker
Budd	Kjar	Orme	Swanson
Carpenter	Klaver	Payne	Syas
Elrod	Kokes	Proud	Viehmeyer
Ely	Kremer	Rasmussen, E.	Waldron
Fleming	Luedtke	Reynolds	Wallwey
Gerdes	Marvel	Robinson	Warner
Harsh	Matzke	Ruhnke	Whitney
Hasebroock	Moulton	Simpson	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Carstens	Knight	Pedersen
Brauer	Danner	Mahoney	Rasmussen, R.
Burbach			

Having received a majority of the votes of all members, the President declared the appointment of Dr. Moran confirmed.

#### Vote on Mr. Hoebel

Voting in the affirmative, 39:

Adamson	Hughes	Nore	Stryker
Budd	Kjar	Orme	Swanson
Burbach	Klaver	Payne	Syas
Elrod	Kokes	Proud	Viehmeyer
Ely	Kremer	Rasmussen, E.	Waldron
Fleming	Luedtke	Rasmussen, R.	Wallwey
Gerdes	Marvel	Reynolds	Warner
Harsh	Matzke	Robinson	Whitney
Hasebroock	Moulton	Ruhnke	Wylie
Holmquist	Moylan	Simpson	

Voting in the negative, 0.

Not voting, 10:

Batchelder	Carpenter	Knight	Pedersen
Bloom	Carstens	Mahoney	Skarda
Brauer	Danner		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hoebel confirmed.

#### Vote on Mr. Tinstman

Voting in the affirmative, 40:

Adamson	Hasebroock	Moylan	Simpson
Budd	Holmquist	Nore	Stryker
Burbach	Hughes	Orme	Swanson
Carpenter	Kjar	Payne	Syas
Carstens	Klaver	Proud	Viehmeyer
Elrod	Kokes	Rasmussen, E.	Waldron
Ely	Luedtke	Rasmussen, R.	Wallwey
Fleming	Marvel	Reynolds	Warner
Gerdes	Matzke	Robinson	Whitney
Harsh	Moulton	Ruhnke	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Danner	Kremer	Pedersen
Bloom	Knight	Mahoney	Skarda
Brauer			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Tinstman confirmed.

#### Vote on Mr. Emanuelson

Voting in the affirmative, 40:

Adamson	Hasebroock	Moylan	Simpson
Budd	Holmquist	Nore	Stryker
Burbach	Hughes	Orme	Swanson
Carpenter	Kjar	Payne	Syas
Carstens	Klaver	Proud	Viehmeyer
Elrod	Kokes	Rasmussen, E.	Waldron
Ely	Luedtke	Rasmussen, R.	Wallwey
Fleming	Marvel	Reynolds	Warner
Gerdes	Matzke	Robinson	Whitney
Harsh	Moulton	Ruhnke	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Danner	Kremer	Pedersen
Bloom	Knight	Mahoney	Skarda
Brauer			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Emanuelson confirmed.

#### Vote on Mr. Kosman

Voting in the affirmative, 39:

Adamson	Holmquist	Nore	Stryker
Budd	Hughes	Orme	Swanson
Burbach	Kjar	Payne	Syas
Carstens	Klaver	Proud	Viehmeyer
Elrod	Kokes	Rasmussen, E.	Waldron
Ely	Luedtke	Rasmussen, R.	Wallwey
Fleming	Marvel	Reynolds	Warner
Gerdes	Matzke	Robinson	Whitney
Harsh	Moulton	Ruhnke	Wylie
Hasebroock	Moylan	Simpson	

Voting in the negative, 0.

Not voting, 10:

Batchelder	Carpenter	Kremer	Pedersen
Bloom	Danner	Mahoney	Skarda
Brauer	Knight		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Kosman confirmed.

#### Vote on Mr. Griffin

Voting in the affirmative, 42:

Adamson	Hasebroock	Nore	Skarda
Bloom	Holmquist	Orme	Stryker
Budd	Hughes	Payne	Swanson
Burbach	Kjar	Proud	Syas
Carpenter	Klaver	Rasmussen, E.	Viehmeyer
Carstens	Kokes	Rasmussen, R.	Waldron
Elrod	Luedtke	Reynolds	Wallwey
Ely	Marvel	Robinson	Warner
Fleming	Matzke	Ruhnke	Whitney
Gerdes	Moulton	Simpson	Wylie
Harsh	Moylan		

Voting in the negative, 0.

Not voting, 7:

Batchelder	Danner	Kremer	Pedersen
Brauer	Knight	Mahoney	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Griffin confirmed.

#### Vote on Mr. Sauls

\* Voting in the affirmative, 42:

Adamson	Hasebroock	Nore	Skarda
Bloom	Holmquist	Orme	Stryker
Budd	Hughes	Payne	Swanson
Burbach	Kjar	Proud	Syas
Carpenter	Klaver	Rasmussen, E.	Viehmeyer
Carstens	Kokes	Rasmussen, R.	Waldron
Elrod	Luedtke	Reynolds	Wallwey
Ely	Marvel	Robinson	Warner
Fleming	Matzke	Ruhnke	Whitney
Gerdes	Moulton	Simpson	Wylie
Harsh	Moylan		

Voting in the negative, 0.

Not voting, 7:

Batchelder	Danner	Kremer	Pedersen
Brauer	Knight	Mahoney	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Sauls confirmed.

#### Vote on Mr. Thom

Voting in the affirmative, 42:

Adamson	Hasebroock	Nore	Skarda
Bloom	Holmquist	Orme	Stryker
Budd	Hughes	Payne	Swanson
Burbach	Kjar	Proud	Syas
Carpenter	Klaver	Rasmussen, E.	Viehmeyer
Carstens	Kokes	Rasmussen, R.	Waldron
Elrod	Luedtke	Reynolds	Wallwey
Ely	Marvel	Robinson	Warner
Fleming	Matzke	Ruhnke	Whitney
Gerdes	Moulton	Simpson	Wylie
Harsh	Moylan		

Voting in the negative, 0.

Not voting, 7:

Batchelder	Danner	Kremer	Pedersen
Brauer	Knight	Mahoney	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Thom confirmed.

#### Vote on Mr. Ramsey

Voting in the affirmative, 42:

Adamson	Hasebroock	Nore	Skarda
Bloom	Holmquist	Orme	Stryker
Budd	Hughes	Payne	Swanson
Burbach	Kjar	Proud	Syas
Carpenter	Klaver	Rasmussen, E.	Viehmeyer
Carstens	Kokes	Rasmussen, R.	Waldron
Elrod	Luedtke	Reynolds	Wallwey
Ely	Marvel	Robinson	Warner
Fleming	Matzke	Ruhnke	Whitney
Gerdes	Moulton	Simpson	Wylie
Harsh	Moylan		

Voting in the negative, 0.

Not voting, 7:

Batchelder	Danner	Kremer	Pedersen
Brauer	Knight	Mahoney	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Ramsey confirmed.

#### **Member's Birthday**

Mr. Marvel announced that Sunday was Miss Reynolds birthday. The members sang Happy Birthday to her.

#### **Report of Registered Lobbyists**

January 8, 1968

In accordance with LB 302, passed in the 1965 session of the Legislature, the attached is a list of those lobbyists who registered during the period January 3, 1968 through January 5, 1968, inclusive.

(Signed) Hugo F. Srb  
Clerk of the Legislature

#### **REGISTERED LOBBYISTS**

##### **(78TH EXTRAORDINARY SESSION)**

Registered during the Period January 3, 1968 through Jan. 8, 1968, Inclusive

Graham, M. J., Lincoln, Retail Merchants Association of Nebr.

Krivosha, Norman, Lincoln, J. J. Exon

McCoy, Dale, Millard, Brotherhood of R. R. Trainmen

McEniry, Glenn, Lincoln, Nebraska Association of Commerce & Industry

Snell, Robert, Columbus, Platte County

Snodgrass, Delbert, Lincoln, Nebraska Assn. of Commerce & Industry

Stuve, Greg K., Omaha, City of Omaha

Whitehead, John, Columbus, City of Columbus

#### **RESOLUTIONS**

**LEGISLATIVE RESOLUTION 6.** Re: Agriculture Research Service

Introduced by Richard D. Marvel, Legislative District 33; Richard L. Ely, Legislative District 37; George C. Gerdes, Legislative District 49; Terry Carpenter, Legislative District 48; William F. Swanson, Legislative District 27 and Stanley A. Matzke, Legislative District 24.

WHEREAS, the United States Department of Agriculture has announced that the Agricultural Research Service Division Soil and Water Conservation Office in Hastings will be closed; and

WHEREAS, this division office is the only Agriculture Research Service facility of its kind in the Great Plains region; and

WHEREAS, its work in channel stabilization, watershed flood control programs and structures and general conservation research is not complete; and

WHEREAS, the research under way at Hastings is urgently needed in the Great Plains area as the Small Watershed Act is resulting in the planning and construction of many watershed improvements; and

WHEREAS, Nebraska has a large watershed program under way as well as many soil and water erosion problems, most of which are under study at Hastings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH (EXTRAORDINARY) SESSION ASSEMBLED:

1. That the United States Department of Agriculture be requested to rescind its order closing its Agriculture Research Service Division Soil and Water Conservation Office in Hastings.

2. That the United States Department of Agriculture be requested to schedule, in the near future, a public hearing concerning the office to determine if the staff at Hastings shouldn't be enlarged instead of being dismissed, in line with the fantastic amount of work being planned on a watershed basis in Nebraska and the entire Great Plains region.

3. That the United States Department of Agriculture Soil and Water Research Programs at Scottsbluff, North Platte and Lincoln, Nebraska be reevaluated with the aim of strengthening these programs and coordinating their investigations with the State Water Plan being prepared for Nebraska.

**LEGISLATIVE RESOLUTION 7. Re: In Memory of Deceased Members**

Introduced by Sam Klaver, Legislative District 9; William Wylie, Legislative District 40 and Elvin Adamson, Legislative District 43.

WHEREAS, we are born, we live, and we die; and

WHEREAS, as we meet today we find that the Almighty Father has taken into His charge many of our former members, who will not return from their glorious resting place; and

WHEREAS, those former members who are peaceably resting in that glorious abode above be assured that their efforts are being preserved and their memories are being cherished.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH (EXTRAORDINARY) SESSION ASSEMBLED:

1. That we pause in our deliberations and stand in silent tribute to the memories of Guy A. Brown, John G. Donner, Clara J. Humphrey, Peter N. Schlentz, and Charles Wilson, who have preceded us here and who, by their labors, helped to mold the institutions and traditions which we now seek to preserve and perpetuate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to each of the families of the deceased members above named as an expression of our respect for the deceased and our sympathy for the bereaved.

Mr. Klaver moved to suspend the rules to consider and adopt LR 7 at this time.

The motion prevailed with 39 ayes, 0 nays and 10 not voting.

LR 7 was adopted.

The members stood for a moment of silence.

**LEGISLATIVE RESOLUTION 8.** Re: Advance Payments Under Federal Agricultural Programs

Introduced by J. W. Burbach, Legislative District 19; Harold B. Stryker, Legislative District 23; W. H. Hasebroock, Legislative District 18; Terry Carpenter, Legislative District 48; Herb Nore, Legislative District 22; Maurice A. Kremer, Legislative District 34; Dale L. Payne, Legislative District 3; Calista Cooper Hughes, Legislative District 1; Rudolf C. Kokes, Legislative District 41; C. W. Holmquist, Legislative District 16; Elmer Wallwey, Legislative District 17; Albert A. Kjar, Legislative District 39; George H. Fleming, Legislative District 47; George C. Gerdes, Legislative District 49; Eric Rasmussen, Legislative District 32; Ross H. Rasmussen, Legislative District 15; Richard L. Ely, Legislative District 37, Arnold Ruhnke, Legislative District 31 and Leslie Robinson, Legislative District 36.

WHEREAS, while the well-being of the economy of Nebraska is dependent in large measure on the agricultural sector, this sector has declined and continues to decline; and

WHEREAS, several factors have contributed to this decline, among the most important of which have been depressed feed grain and livestock prices; and

WHEREAS, coupled with these factors have been the increasing costs of doing business, including the restrictive effects of current tight money policies and high interest rates; and

WHEREAS, there is a continuous reduction in the number of family-size farms, with those remaining experiencing difficulty in obtaining adequate operating capital at reasonable cost; and

WHEREAS, the average price received by Nebraska farmers for hogs in October, November, December of 1967 was thirteen per cent less than the same period one year earlier and in the same period the Nebraska producer received sixteen per cent less for his wheat, eighteen per cent less for corn, twelve per cent less for soy beans and forty-six per cent less for eggs; and

WHEREAS, prices received by farmers in October, November and December was only for wheat fifty-four per cent of parity, for corn sixty-two per cent of parity, for grain sorghum sixty-six per cent of parity, for soy beans seventy-four per cent of parity, hogs seventy per cent of parity, beef cattle seventy-six per cent of parity, butterfat seventy-seven per cent of parity and eggs fifty-seven per cent of parity; and

WHEREAS, the declines in grain and livestock prices and the increases in the costs of doing business have a direct and depressing effect on agri-business, as well as on other business activities in the Nebraska communities, with a consequent decline in business activity in the smaller communities of the state which are more closely and directly dependent upon the agricultural economy; and

WHEREAS, the agricultural economy of the state in the past has been stimulated by the receipt of advance payments of one half of the amount receivable under the Federal agricultural programs, which advance payments have provided funds for operating expenses at the time they are most needed; and

WHEREAS, there are present indications that the practice of making these advance payments will be discontinued, with all payments being made after the completion of harvest.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-EIGHTH (EXTRAORDINARY) SESSION ASSEMBLED:

1. That it is vitally necessary to stimulate the agricultural sector of the economy of Nebraska.

2. That the discontinuance of advance participation payments from the United States Department of Agriculture would depress rather than stimulate the agricultural economy.

3. That the United States Department of Agriculture be requested to continue the present program of making advance payments under Federal agricultural programs.

4. That a copy of this Resolution be sent to the Secretary of the United States Department of Agriculture, and to the Nebraska Representatives and Senators in Congress.

#### **Visitors**

Mr. Ruhnke introduced Mr. Melvin Cornell of Friend, Nebraska.

#### **MOTION—Return LB 1 to Select File**

Mr. Harsh moved to return LB 1 to Select File for consideration of the following specific amendment:

Add Dodge County to the second district; add Hamilton, Clay, Nuckolls, Polk, Adams, Webster, Kearney, Franklin, Phelps, Harlan, Gosper, Furnas, Frontier, Red Willow, Hayes, Hitchcock, Chase, Dundy, Perkins and Cass, to the first district.

To remove from the first district and add to the third district, Colfax, Madison, Stanton, Cuming, Burt, Thurston, Wayne, Pierce, Cedar, Knox, Dixon and Dakota.

Mr. Carpenter moved to amend the motion to return LB 1 to General File, open for any amendments.

#### **Speaker Adamson Presiding**

The Carpenter motion lost with 20 ayes, 22 nays and 7 not voting.

#### **UNANIMOUS CONSENT—Committee Meeting**

Mr. Burbach asked unanimous consent that the Interim Study Committee on Impact of Sales and Income Tax Legislation meet in the Legislative Council Hearing Room at 3:30 p.m. today.

No objections. So ordered.

#### **UNANIMOUS CONSENT—Return LB 1 to Select File**

Mr. Syas asked unanimous consent to return LB 1 to Select File for consideration of the following specific amendment:

Remove Burt County from the first district and put it into the second district.

Mr. Carpenter objected.

Mr. Syas moved to return LB 1 to Select File for the specific amendment.

Mr. Harsh moved the previous question. The question is, "Shall the debate now cease?" The motion lost with 17 ayes, 19 nays and 13 not voting.

The Syas motion prevailed with 25 ayes, 17 nays and 7 not voting.

#### **SELECT FILE**

**LEGISLATIVE BILL 1.** The Syas specific amendment found in this Day's Journal lost 24 ayes, 17 nays and 8 not voting.

Mr. Syas moved to reconsider action of his amendment.

The motion prevailed with 27 ayes, 16 nays and 6 not voting.

The Syas specific amendment was adopted with 25 ayes, 17 nays and 7 not voting.

#### **President Everroad Presiding**

LB 1 was advanced to E and R for re-engrossment with 27 ayes, 10 nays and 12 not voting.

#### **Recess**

At 11:45 a.m., on a motion by Mr. Carpenter, the Legislature recessed until 2:00 p.m.

#### **After Recess**

The Legislature reconvened at 2:00 p.m., President Everroad presiding.

The roll was called and all members were present except Messrs. Batchelder, Brauer, Danner, Klaver, Knight, Mahoney and Pedersen, who were excused.

#### **STANDING COMMITTEE REPORTS**

##### **Enrollment and Review**

**LEGISLATIVE BILL 1.** Replaced on Select File as amended.

E and R amendment to LB 1:

1. In lieu of the Syas Select File amendment, in the Carpenter General File amendment, line 6, strike "*Burt*"; and in line 8, insert "*Burt*," before "*and*".

(Signed) Harold T. Moylan, Vice-Chairman

#### **SELECT FILE**

**LEGISLATIVE BILL 1.** E and R amendment found in this Day's Journal was adopted.

Advanced to E and R for re-engrossment with 29 ayes, 8 nays and 12 not voting.

#### **STANDING COMMITTEE REPORTS**

##### **Enrollment and Review**

**LEGISLATIVE BILL 1.** Correctly re-engrossed.

(Signed) Harold T. Moylan, Vice-Chairman

##### **Members Excused**

Messrs. Hasebroock, Payne, Skarda and Waldron asked unanimous consent to be excused Wednesday, January 10, 1968.

No objections. So ordered.

##### **Adjournment**

At 2:12 p.m., on a motion by Mr. Wylie, the Legislature adjourned until 2:00 p.m., Wednesday, January 10, 1968.

Hugo F. Srb  
Clerk of the Legislature

**LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION**

**SIXTH DAY**

---

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 10, 1968

Pursuant to adjournment the Legislature met at 2:00 p.m.,  
President Everroad presiding.

Prayer was offered by the Chaplain.

**Prayer**

Eternal God, Thou ground of our being, give us illumination that we seek Thy highest will in our prayers. We pray for strength that we may influence others; we find weakness that we may experience humility. We pray for wealth that we may be secure; we often find poverty which brings richness of the spirit. We pray for power that we may achieve prestige; we find infirmity and experience the strength of God. We pray for popularity that we may achieve status; we find solitude that we can know ourselves. We pray for material things that we can enjoy life; thou hast given us life that we enjoy living. Often our prayers are not answered according to our formulas, but finally we can see that all things work together for good to those who seek Thy will. Amen.

The roll was called and all members were present except Messrs. Batchelder, Brauer, Danner, Hasebroock, Mahoney and Skarda, who were excused and Waldron who was excused until 3:00 p.m.

**Corrections for the Journal**

Page 38, line 9, correct spelling of "offered".

Page 46, line 23, insert "was" before "adopted".

Page 50, line 18, insert "No objections. So ordered".

The Journal for the Fifth Day was approved as corrected.

**Visitors**

Mr. Swanson introduced Mr. Max Gemar and his son, Gary, of Sutton, Nebraska.

Mr. R. Rasmussen introduced 16 Seniors in the American Government Class of Snyder High School and their teachers, Mrs. Lowell Johnson, Mr. Lawrence Retzlaff and Mr. Lowell Johnson.

## STANDING COMMITTEE REPORT

### Committee on Committees

January 10, 1968

Mr. President, Mr. Speaker and  
Members of the Legislature

Dear Senators:

The following names were submitted as appointments by the Governor and whereas the statutes do not require approval of the Legislature of these positions, no further action was taken to recommend approval or disapproval by the Committee on Committees:

Thomas Cheslak—Liquor Control Commission  
Ray L. Smith—Oil and Gas Conservation Commission  
Dale F. Sailors—Motor Vehicle Dealers License Board  
John Cassel—Educational Lands and Funds

The following names were submitted as appointments by the Governor and the Committee on Committees took action of approval on these appointments on June 29, 1967:

Dr. C. Eugene Brown—State Board of Health  
Sister Paschala Noonan—State Board of Health

Respectfully yours,

(Signed) Eric Rasmussen, Chairman  
Committee on Committees

ER:es

January 10, 1968

Mr. President:

The Committee on Committees desires to report favorably upon the appointments listed below which were submitted by Governor Norbert T. Tiemann. The Committee suggests that the appointments be confirmed by this Legislative Body, and suggests a record vote on each confirmation.

Richard Duxbury—Clean Waters Commission  
E. Bruce Meier—Clean Waters Commission  
William Mountford—Clean Waters Commission  
Dake Novotny—Clean Waters Commission  
Drexel Sibbernson—Clean Waters Commission

Wesley Hansen—Educational Television Commission  
 John Prasch—Educational Television Commission  
 Leonard Peterson—Educational Television Commission  
 Dr. A. A. Lidolph—State Board of Health  
 Everett Yost—Public Welfare and Public Institutions  
     Advisory Committee  
 Dr. Richard E. Garlinghouse—State Board of Health  
 Francis Hanna—Game Commission

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
 Committee on Committees

January 10, 1968

Mr. President:

The Committee on Committees desires to report favorably upon the appointment listed below, effective January 16, 1968, which was submitted by Governor Norbert T. Tiemann. The Committee suggests the appointment be confirmed by this Legislative Body, and suggests a record vote on this confirmation.

Harold Rogers—Director of the Department of Public Welfare

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
 Committee on Committees

January 10, 1968

Mr. President:

The Committee on Committees desires to report favorably upon the appointment listed below, effective January 15, 1968, which was submitted by Governor Norbert T. Tiemann. The Committee suggests that the appointment be confirmed by this Legislative Body, and suggests a record vote on this confirmation.

Dr. Bruce Cowgill—Game, Forestation and Parks Commission

Respectfully submitted,

(Signed) Eric Rasmussen, Chairman  
 Committee on Committees

#### **MOTION—Accept Report**

Mr. E. Rasmussen moved that the report of the Committee on Committees be adopted, and that each appointment be considered separately and by record vote.

The motion prevailed.

**Vote on Mr. Duxbury**

Voting in the affirmative, 38:

Adamson	Harsh	Moulton	Ruhnke
Bloom	Hughes	Moylan	Stryker
Budd	Kjar	Orme	Swanson
Burbach	Klaver	Payne	Syas
Carpenter	Knight	Proud	Viehmeyer
Carstens	Kokes	Rasmussen, E.	Wallwey
Elrod	Kremer	Rasmussen, R.	Warner
Ely	Luedtke	Reynolds	Whitney
Fleming	Marvel	Robinson	Wylie
Gerdes	Matzke		

Voting in the negative, 0.

Not voting, 11:

Batchelder	Hasebroock	Nore	Skarda
Brauer	Holmquist	Pedersen	Waldron
Danner	Mahoney	Simpson	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Duxbury confirmed.

**Vote on Mr. Meier**

Voting in the affirmative, 41:

Adamson	Holmquist	Moylan	Ruhnke
Bloom	Hughes	Nore	Simpson
Budd	Kjar	Orme	Stryker
Burbach	Knight	Payne	Swanson
Carpenter	Kokes	Pedersen	Syas
Carstens	Kremer	Proud	Viehmeyer
Elrod	Luedtke	Rasmussen, E.	Wallwey
Ely	Marvel	Rasmussen, R.	Warner
Fleming	Matzke	Reynolds	Whitney
Gerdes	Moulton	Robinson	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 8:

Batchelder	Danner	Klaver	Skarda
Brauer	Hasebroock	Mahoney	Waldron

Having received a majority of the votes of all members, the President declared the appointment of Mr. Meier confirmed.

**Vote on Mr. Mountford**

Voting in the affirmative, 41:

Adamson	Holmquist	Moulton	Robinson
Bloom	Hughes	Moylan	Ruhnke
Budd	Kjar	Nore	Simpson
Burbach	Klaver	Orme	Swanson
Carpenter	Knight	Payne	Syas
Carstens	Kokes	Pedersen	Viehmeyer
Elrod	Kremer	Proud	Wallway
Ely	Luedtke	Rasmussen, E.	Warner
Fleming	Marvel	Rasmussen, R.	Whitney
Gerdes	Matzke	Reynolds	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 8:

Batchelder	Danner	Mahoney	Stryker
Brauer	Hasebroock	Skarda	Waldron

Having received a majority of the votes of all members, the President declared the appointment of Mr. Mountford confirmed.

**Vote on Mr. Novotny**

Voting in the affirmative, 40:

Adamson	Harsh	Moulton	Robinson
Bloom	Holmquist	Moylan	Ruhnke
Budd	Hughes	Nore	Simpson
Burbach	Kjar	Orme	Stryker
Carpenter	Klaver	Payne	Swanson
Carstens	Knight	Pedersen	Viehmeyer
Elrod	Kokes	Proud	Wallway
Ely	Kremer	Rasmussen, E.	Warner
Fleming	Luedtke	Rasmussen, R.	Whitney
Gerdes	Marvel	Reynolds	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Hasebroock	Matzke	Syas
Brauer	Mahoney	Skarda	Waldron
Danner			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Novotny confirmed.

**Vote on Mr. Sibbernson**

Voting in the affirmative, 41:

Adamson	Holmquist	Moulton	Robinson
Bloom	Hughes	Moylan	Ruhnke
Budd	Kjar	Nore	Simpson
Burbach	Klaver	Orme	Stryker
Carpenter	Knight	Payne	Swanson
Carstens	Kokes	Pedersen	Viehmeyer
Elrod	Kremer	Proud	Wallwey
Ely	Luedtke	Rasmussen, E.	Warner
Fleming	Marvel	Rasmussen, R.	Whitney
Gerdes	Matzke	Reynolds	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 8.

Batchelder	Danner	Mahoney	Syas
Brauer	Hasebroock	Skarda	Waldron

Having received a majority of the votes of all members, the President declared the appointment of Mr. Sibbernson confirmed.

**Vote on Mr. Hansen**

Voting in the affirmative, 40:

Adamson	Harsh	Matzke	Reynolds
Bloom	Holmquist	Moulton	Robinson
Budd	Hughes	Moylan	Ruhnke
Burbach	Kjar	Nore	Simpson
Carpenter	Klaver	Orme	Swanson
Carstens	Knight	Payne	Viehmeyer
Elrod	Kokes	Pedersen	Wallwey
Ely	Kremer	Proud	Warner
Fleming	Luedtke	Rasmussen, E.	Whitney
Gerdes	Marvel	Rasmussen, R.	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Hasebroock	Skarda	Syas
Brauer	Mahoney	Stryker	Waldron
Danner			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hansen confirmed.

**Vote on Mr. Prasch**

Voting in the affirmative, 39:

Adamson	Harsh	Matzke	Reynolds
Bloom	Holmquist	Moulton	Robinson
Budd	Hughes	Moylan	Ruhnke
Burbach	Kjar	Nore	Swanson
Carpenter	Klaver	Orme	Viehmeyer
Carstens	Knight	Payne	Wallwey
Elrod	Kokes	Pedersen	Warner
Ely	Kremer	Proud	Whitney
Fleming	Luedtke	Rasmussen, E.	Wylie
Gerdes	Marvel	Rasmussen, R.	

Voting in the negative, 0.

Not voting, 10:

Batchelder	Hasebroock	Skarda	Syas
Brauer	Mahoney	Stryker	Waldron
Danner	Simpson		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Prasch confirmed.

**Vote on Mr. Peterson**

Voting in the affirmative, 39:

Adamson	Harsh	Moulton	Robinson
Bloom	Holmquist	Moylan	Ruhnke
Budd	Hughes	Nore	Simpson
Burbach	Kjar	Orme	Swanson
Carpenter	Knight	Payne	Viehmeyer
Carstens	Kokes	Pedersen	Wallwey
Elrod	Kremer	Proud	Warner
Ely	Luedtke	Rasmussen, E.	Whitney
Fleming	Marvel	Rasmussen, R.	Wylie
Gerdes	Matzke	Reynolds	

Voting in the negative, 0.

Not voting, 10:

Batchelder	Hasebroock	Skarda	Syas
Brauer	Klaver	Stryker	Waldron
Danner	Mahoney		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Peterson confirmed.

**Vote on Dr. Lidolph**

Voting in the affirmative, 38:

Adamson	Holmquist	Moulton	Robinson
Bloom	Hughes	Moylan	Ruhnke
Budd	Kjar	Nore	Simpson
Carpenter	Klaver	Orme	Swanson
Carstens	Knight	Payne	Viehmeyer
Elrod	Kokes	Pedersen	Wallwey
Ely	Kremer	Proud	Warner
Fleming	Luedtke	Rasmussen, R.	Whitney
Gerdes	Marvel	Reynolds	Wylie
Harsh	Matzke		

Voting in the negative, 0.

Not voting, 11:

Batchelder	Danner	Rasmussen, E.	Syas
Brauer	Hasebroock	Skarda	Waldron
Burbach	Mahoney	Stryker	

Having received a majority of the votes of all members, the President declared the appointment of Dr. Lidolph confirmed.

**Vote on Mr. Yost**

Voting in the affirmative, 41:

Adamson	Hughes	Moylan	Ruhnke
Bloom	Kjar	Nore	Simpson
Budd	Klaver	Orme	Stryker
Burbach	Knight	Payne	Swanson
Carpenter	Kokes	Pedersen	Syas
Carstens	Kremer	Proud	Viehmeyer
Elrod	Luedtke	Rasmussen, E.	Wallwey
Ely	Marvel	Rasmussen, R.	Warner
Fleming	Matzke	Reynolds	Whitney
Gerdes	Moulton	Robinson	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 8:

Batchelder	Danner	Holmquist	Skarda
Brauer	Hasebroock	Mahoney	Waldron

Having received a majority of the votes of all members, the President declared the appointment of Mr. Yost confirmed.

**Vote on Dr. Garlinghouse**

Voting in the affirmative, 40:

Adamson	Harsh	Moulton	Robinson
Bloom	Hughes	Moylan	Ruhnke
Budd	Kjar	Nore	Simpson
Burbach	Klaver	Orme	Swanson
Carpenter	Knight	Payne	Syas
Carstens	Kokes	Pedersen	Viehmeyer
Elrod	Kremer	Proud	Wallwey
Ely	Luedtke	Rasmussen, E.	Warner
Fleming	Marvel	Rasmussen, R.	Whitney
Gerdes	Matzke	Reynolds	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Hasebroock	Mahoney	Stryker
Brauer	Holmquist	Skarda	Waldron
Danner			

Having received a majority of the votes of all members, the President declared the appointment of Dr. Garlinghouse confirmed.

**Vote on Mr. Hanna**

Voting in the affirmative, 39:

Adamson	Hughes	Nore	Simpson
Bloom	Kjar	Orme	Stryker
Budd	Klaver	Payne	Swanson
Carpenter	Knight	Pedersen	Syas
Carstens	Kokes	Proud	Viehmeyer
Elrod	Kremer	Rasmussen, E.	Wallwey
Ely	Luedtke	Rasmussen, R.	Warner
Fleming	Marvel	Reynolds	Whitney
Gerdes	Moulton	Robinson	Wylie
Harsh	Moylan	Ruhnke	

Voting in the negative, 0.

Not voting, 10:

Batchelder	Danner	Mahoney	Skarda
Brauer	Hasebroock	Matzke	Waldron
Burbach	Holmquist		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hanna confirmed.

**Vote on Mr. Rogers**

Voting in the affirmative, 41:

Adamson	Hughes	Moylan	Ruhnke
Bloom	Kjar	Nore	Simpson
Budd	Klaver	Orme	Stryker
Burbach	Knight	Payne	Swanson
Carpenter	Kokes	Pedersen	Syas
Carstens	Kremer	Proud	Viehmeyer
Elrod	Luedtke	Rasmussen, E.	Wallwey
Ely	Marvel	Rasmussen, R.	Warner
Fleming	Matzke	Reynolds	Whitney
Gerdes	Moulton	Robinson	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 8:

Batchelder	Danner	Holmquist	Skarda
Brauer	Hasebroock	Mahoney	Waldron

Having received a majority of the votes of all members, the President declared the appointment of Mr. Rogers confirmed.

**Vote on Dr. Cowgill**

Voting in the affirmative, 40:

Adamson	Hughes	Moylan	Ruhnke
Bloom	Kjar	Nore	Simpson
Budd	Klaver	Orme	Stryker
Carpenter	Knight	Payne	Swanson
Carstens	Kokes	Pedersen	Syas
Elrod	Kremer	Proud	Viehmeyer
Ely	Luedtke	Rasmussen, E.	Wallwey
Fleming	Marvel	Rasmussen, R.	Warner
Gerdes	Matzke	Reynolds	Whitney
Harsh	Moulton	Robinson	Wylie

Voting in the negative, 0.

Not voting, 9:

Batchelder	Danner	Holmquist	Skarda
Brauer	Hasebroock	Mahoney	Waldron
Burbach			

Having received a majority of the votes of all members, the President declared the appointment of Dr. Cowgill confirmed.

**President Signs**

While the Legislature was in session and capable of transacting business, the President signed: LR 5 LR 7

**Visitors**

Mr. Nore introduced Dr. Bruce Cowgill of Silver Creek, Nebraska.

Mr. R. Rasmussen introduced Mr. Hamilton Mitten of Fremont.

Mr. Knight introduced Mr. Dennis Costin of Lincoln.

**UNANIMOUS CONSENT—Committee Meeting**

Mr. Kremer asked unanimous consent for the Interim Study Committee on Ground and Surface Water meet immediately upon adjournment today. No objections. So ordered.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 6.**

Messrs. Nore, Warner, Viehmeyer and Mrs. Orme asked unanimous consent to add their names to LR 6. No objections. So ordered.

LR 6 was adopted with 41 ayes, 0 nays and 8 not voting.

**LEGISLATIVE RESOLUTION 8.**

Mr. Carpenter offered the following amendment and requested a record vote be taken:

1. Amend Legislative Resolution 8 by striking numbered paragraphs 3 and 4 and inserting in lieu thereof the following:

"3. That the United States Department of Agriculture be requested to continue the present program of making advance payments under Federal agricultural programs, and that the President of the United States be requested to immediately by proclamation establish a base of ninety per cent of parity on all farm products covered by Federal programs.

4. That copies of this resolution be sent to the President of the United States, the Secretary of the United States Department of Agriculture, and to the Nebraska Representatives and Senators in Congress."

Voting in the affirmative, 42:

Adamson	Holmquist	Moylan	Simpson
Bloom	Hughes	Nore	Stryker
Budd	Kjar	Orme	Swanson
Burbach	Klaver	Payne	Syas
Carpenter	Knight	Pedersen	Viehmeyer
Carstens	Kokes	Rasmussen, E.	Waldron
Elrod	Kremer	Rasmussen, R.	Wallwey
Ely	Luedtke	Reynolds	Warner
Fleming	Marvel	Robinson	Whitney
Gerdes	Matzke	Ruhnke	Wylie
Harsh	Moulton		

Voting in the negative, 0.

Not voting, 7:

Batchelder	Danner	Mahoney	Skarda
Brauer	Hasebroock	Proud	

The Carpenter amendment was adopted.

Mr. Payne asked unanimous consent to add the names of all members present to LR 8. No objections. So ordered.

LR 8 was adopted with 40 ayes, 0 nays and 9 not voting.

#### Visitors

Mr. Gerdes introduced Senator Edwin Becker of North Dakota, Chairman of the Midwestern Conference of State Governments. Senator Becker addressed the members.

Mr. Ely introduced 28 seniors from the American Government Class, Axtell Community School, and teacher, Gary Augustine.

Mr. Harsh introduced Mr. Paul Ott of Orleans, Nebraska.

#### Adjournment

At 3:23 p.m., on a motion by Mr. Ruhnke, the Legislature adjourned until 9:00 a.m., Thursday, January 11, 1968.

Hugo F. Srb  
Clerk of the Legislature

**LEGISLATIVE JOURNAL—SEVENTY-EIGHTH  
(EXTRAORDINARY) SESSION**

**SEVENTH DAY**

---

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 11, 1968

Pursuant to adjournment, the Legislature met at 9:00 a.m.,  
President Everroad presiding.

Prayer was offered by the Chaplain.

**Prayer**

Eternal God, while bound up with the immediate and tangible problems confronting us, on occasion may we draw from Thy reservoir to gain real perspective for our acts. May our minds be nourished with Thy truth; our imaginations purified by Thy beauty; our emotions opened to Thy love; our wills surrendered to Thine eternal purpose. May this new dimension in spirit and in truth be the way to the solution of our perplexity and estrangement. In our Lord's name. Amen.

The roll was called and all members were present except Mr. Batchelder, who was excused; Messrs. Bloom and Mahoney, excused until 9:15 a.m. and Mr. Kjar, excused until 9:25 a.m.

**Corrections for the Journal**

Page 54, last line, insert "confirmed" after "Mr. Meier".

The Journal for the Sixth Day was approved as corrected.

**President Signs**

While the Legislature was in session and capable of transacting business, the President signed: LR 8 LR 6

**BILLS ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 6.** With Emergency.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventy-eighth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum

of nine thousand six hundred seventy dollars therefor; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adamson	Hasebroock	Moylan	Simpson
Brauer	Holmquist	Nore	Skarda
Budd	Hughes	Orme	Stryker
Burbach	Klaver	Payne	Swanson
Carpenter	Knight	Pedersen	Syas
Carstens	Kokes	Proud	Viehmeyer
Danner	Kremer	Rasmussen, E.	Waldron
Elrod	Luedtke	Rasmussen, R.	Wallwey
Ely	Marvel	Reynolds	Warner
Fleming	Matzke	Robinson	Whitney
Gerdes	Moulton	Ruhnke	Wylie
Harsh			

Voting in the negative, 0.

Not voting, 4:

Batchelder	Bloom	Kjar	Mahoney
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **MOTION—Suspend Rules**

Mr. Klaver moved to suspend the rules to take up LB 1 on Final Reading today.

The motion prevailed with 45 ayes, 0 nays and 4 not voting.

#### **MOTION—Return LB 1 to Select File**

Mr. Carpenter moved to return LB 1 to Select File to strike the Emergency Clause.

The motion lost with 7 ayes, 36 nays and 6 not voting.

#### **UNANIMOUS CONSENT—Print in Journal**

Mr. Carpenter asked unanimous consent to print the following material in the Journal. No objections. So ordered.

	U.S. Census Bureau	University
Douglas County:	378,000 (July 1, 1965)	396,987 (December 31, 1965)
	381,000 (July 1, 1966)	400,678 (December 31, 1966)
Sarpy County:	52,000 (July 1, 1965)	52,670 (December 31, 1965)
	54,000 (July 1, 1966)	53,582 (December 31, 1966)

Monday morning, January 8, 1968, the Omaha City Planning Department gave these figures as current for Douglas County: 400,000—and for Sarpy County: 52,000.

Legislative Council estimates for 1967 which were used in this bill population in Douglas County is 410,209—in Sarpy County, 57,298.

It should be noted that the U. S. Census Bureau's provisional estimate of the population of Nebraska for July 1, 1967 was 1,435,000—an increase of just 24,000 over our 1960 population, as determined by the Federal Census, of 1,411,921. This represents a total increase of 1.7% over 1960.

The U. S. Census Bureau's same provisional estimates for July 1, 1967 for all states in the nation indicate that among Nebraska's neighboring states, Iowa, South Dakota and Wyoming have experienced a population loss since 1960. Colorado, Kansas and Missouri population figures show an increase over 1960.

Percentage-wise they report: Iowa has dropped two-tenths of one percent; South Dakota, down one percent, and Wyoming down four and six-tenths percent. Kansas is shown as up four and four-tenths percent, Colorado up twelve and six-tenths percent, and Missouri, up six and six-tenths percent.

As an indication of the potential accuracy of the U. S. Census Bureau's 1967 provisional estimates, it should be noted that its provisional estimate for the State of Delaware was 523,000. A footnote on the table notes that a special census of Delaware was completed as of September 20, 1967, and that a preliminary count indicated a population of 524,421—compared with the provisional estimate of 523,000.

### BILLS ON FINAL READING

The following bill was read and put upon final passage:

#### LEGISLATIVE BILL 1. With Emergency.

A BILL FOR AN ACT relating to apportionment; to reapportion the state for the election of Representatives from the State of Nebraska to the Congress of the United States; to amend section 5-102, Reissue Revised Statutes of Nebraska, 1943; to repeal the original section and also section 5-101, Reissue Revised Statutes

of Nebraska, 1943, and Laws 1961, Chapter 10, section 1; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 31:

Bloom	Klaver	Moylan	Skarda
Brauer	Knight	Pedersen	Stryker
Carstens	Kremer	Proud	Swanson
Danner	Luedtke	Rasmussen, E.	Syas
Fleming	Mahoney	Reynolds	Viehmeyer
Harsh	Marvel	Robinson	Waldron
Hughes	Matzke	Ruhnke	Whitney
Kjar	Moulton	Simpson	

Voting in the Negative, 17:

Adamson	Ely	Kokes	Rasmussen, R.
Budd	Gerdes	Nore	Wallwey
Burbach	Hasebroock	Orme	Warner
Carpenter	Holmquist	Payne	Wylie
Elrod			

Not voting, 1:

Batchelder

Having failed to receive a constitutional two-thirds majority voting in the affirmative, with the emergency clause attached, the question now is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 34:

Bloom	Kjar	Moylan	Simpson
Brauer	Klaver	Payne	Skarda
Burbach	Knight	Pedersen	Stryker
Carpenter	Kremer	Proud	Swanson
Carstens	Luedtke	Rasmussen, E.	Syas
Danner	Mahoney	Reynolds	Viehmeyer
Fleming	Marvel	Robinson	Waldron
Harsh	Matzke	Ruhnke	Whitney
Hughes	Moulton		

Voting in the negative, 14:

Adamson	Gerdes	Nore	Wallwey
Budd	Hasebroock	Orme	Warner
Elrod	Holmquist	Rasmussen, R.	Wylie
Ely	Kokes		

Not voting, 1:

Batchelder

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

### **STANDING COMMITTEE REPORTS**

#### **Enrollment and Review**

**LEGISLATIVE BILL 1.** Correctly enrolled.

**LEGISLATIVE BILL 6.** Correctly enrolled.

(Signed) Roland A. Luedtke, Chairman

#### **President Signs**

While the Legislature was in session and capable of transacting business, the President signed: LB 1 LB 6

#### **Visitors**

Mrs. Orme introduced Mary Caddy, Marilyn Osborn, Erma Ruhl, Marilyn Niemeyer and Bev Irons, Bryan Memorial Church Circle, Lincoln.

#### **MOTION—Notify Governor**

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and to ask if he has any further message for the Legislature.

(Signed) Elvin Adamson

The motion prevailed and the President appointed the following to serve on said committee: Adamson, Syas, Pedersen, Carpenter and Ruhnke.

#### **Ease**

The Legislature was at ease from 10:09 a.m. until 10:34 a.m.

The committee returned and reported that the Governor had signed the Bills and informed the Legislature the Governor had no further message.

#### **Presented to the Governor**

Presented to the Governor for approval on January 11, 1968 at 10:15 a.m.: LB 1 LB 6

(Signed) Vincent Brown, Assistant Clerk

**MOTION—Printing**

Mr. President: I move that we approve the printing of the legislative bills, daily journals, Session Laws, and Permanent Legislative Journal by Joe Christensen Printing.

The motion prevailed.

(Signed) C. F. (Pat) Moulton

**MOTION—Journals, Session Laws**

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor, and to each authorized member of the press assigned to the Legislature for the 78th (Extraordinary) Session a copy of the Permanent Legislative Journal of said session and a copy of the Session Laws passed thereat.

(Signed) Elmer Wallwey

The motion prevailed.

**MOTION—Appreciation to Press**

Mr. President: I move that a vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State the activities of this Session of the Legislature.

(Signed) Stanley A. Matzke

The motion prevailed.

**MOTION—Appreciation to Radio and Television**

Mr. President: I move that this body express its thanks to the radio and television stations for broadcasting news of the Legislature to the citizens of the State.

(Signed) George H. Fleming

The motion prevailed.

**MOTION—File Records**

Mr. President: I move that the chairman of each standing committee be requested to file with the Clerk of the Legislature any standing committee records, so that a proper record may be made of the final disposition of such bills.

(Signed) W. H. Hasebroock

The motion prevailed.

**MOTION—Retain Help**

Mr. President: I move that the Executive Board of the Legislative Council be directed to retain such help as may be required to complete the business of the office for the Seventy-eighth (Extraordinary) Session of the Legislature.

(Signed) Jerome Warner

The motion prevailed.

**MOTION—Approve Journal**

Mr. President: I move that the Legislative Journal for the Seventh Day be approved as prepared by the clerk.

(Signed) Calista Cooper Hughes

The motion prevailed.

**MOTION—Adjournment**

Mr. President: I move that the Seventy-eighth (Extraordinary) Session of the Legislature, having finished all business before it, now adjourn, sine die.

(Signed) Arnold Ruhnke

The motion prevailed and at 10:39 a.m., the Legislature adjourned.

Hugo F. Srb  
Clerk of the Legislature



CERTIFICATE

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CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Seventy-eighth (Extraordinary) Session of the Legislature of the State of Nebraska, convened and held in the City of Lincoln, State of Nebraska, January 3, 1968 to January 11, 1968.

(Signed) Hugo F. Srb  
Clerk of the Legislature

January 31, 1968  
Lincoln, Nebraska

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**Received after adjournment**

January 11, 1968

The President, the Speaker  
and Members of the Legislature  
State Capitol  
Lincoln, Nebraska

Dear Senators:

This is to inform your honorable body that on January 11, 1968 I approved LB 1 and LB 6.

Respectfully,

(Signed) Norbert T. Tiemann  
Governor

sjs

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**Filed after Lobbyist list was published in Legislative Journal**

Andresen, Keith, Lincoln, Nebraska New Car Dealers' Assn.

(Signed) Hugo F. Srb  
Clerk of the Legislature

January 12, 1968

**LEGISLATIVE BILLS ENACTED  
INTO LAW****Seventy-eighth (Extraordinary) Session**

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- 1 Pedersen. Apportionment, Congressional redistricting
  - 6 Marvel et al. Appropriation for expenses of Seventy-eighth (Extraordinary) Session
-

## LEGISLATIVE BILLS

By Original Introducers\*

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### BLOOM

4 with others

### CARPENTER

3 Employment security, employer's experience refund

### DANNER

4 Employment security, benefit disqualification removal

### GERDES

6 with others

### MAHONEY

4 with others

### MARVEL

6 Appropriation for expenses of Seventy-eighth (Extraordinary) Session

### MOYLAN

4 with others

### PEDERSEN

1 Apportionment, Congressional redistricting

### SKARDA

4 with others

### WALDRON

5 Apportionment, Congressional redistricting

### WARNER

2 Apportionment, Congressional redistricting

\* See also, Chronology of Bills, page 75

## LEGISLATIVE BILLS IN COMMITTEES

### Government and Military Affairs

- 1 Apportionment, Congressional redistricting
- 2 Apportionment, Congressional redistricting
- 5 Apportionment, Congressional redistricting

### Labor

- 3 Employment security, employer's experience refund
- 4 Employment security, benefit disqualification removal

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## NEBRASKA STATE LEGISLATURE

### Seventy-eighth (Extraordinary) Session

#### Summary

Total Number of Bills Introduced ..... 6

Total Number of Resolutions Introduced ..... 8

The following table shows the final disposition of each Bill and Resolution

Approved by the Governor, 2:

1 6

Indefinitely Postponed, 2:

LR 2 LR 4

Withdrawn, 2:

3 4

Killed in Committee (Legislature adjourned), 2:

2 5

Resolutions Adopted, 6:

LR 1 LR 3 LR 5 LR 6 LR 7 LR 8

Total Bills to Become Law ..... 2

## CHRONOLOGY OF BILLS

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Jan. 3 Rules suspended. Notice of hearing .....	13
Jan. 3 Hearing reset .....	18
Jan. 8 Placed on General File .....	27
Jan. 8 Considered. Request .....	28
Jan. 8 Referred for review .....	35
Jan. 8 Placed on Select File. Rules sus- pended. Referred for engrossment .....	37
Jan. 9 Correctly engrossed .....	38
Jan. 9 Considered .....	48
Jan. 9 Returned to Select File .....	48
Jan. 9 Referred for re-engrossment .....	49
Jan. 9 Replaced on Select File .....	49
Jan. 9 Referred for re-engrossment. Correctly re-engrossed .....	50
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Jan. 11 Final Reading .....	65
Jan. 11 Correctly enrolled. President signed .....	67
Jan. 11 Presented to Governor .....	67
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<b>LEGISLATIVE BILL 2 By Warner</b>	
Jan. 3 Read first time .....	10
Jan. 3 Referred to Committee on Government and Military Affairs .....	12
Jan. 3 Rules suspended. Notice of hearing .....	13
Jan. 3 Hearing reset .....	18
<b>LEGISLATIVE BILL 3 By Carpenter</b>	
Jan. 3 Read first time .....	10
Jan. 3 Referred to Committee on Labor .....	12
Jan. 3 Rules suspended. Notice of hearing .....	13
Jan. 3 Rules suspended. Withdrawn. Hearing cancelled .....	16

**LEGISLATIVE BILL 4 By Danner, Skarda, Mahoney, Moylan,  
Bloom**

Jan. 3	Read first time .....	10
Jan. 3	Referred to Committee on Labor .....	12
Jan. 3	Rules suspended. Notice of hearing .....	13
Jan. 3	Rules suspended. Withdrawn. Hearing cancelled .....	16

**LEGISLATIVE BILL 5 By Waldron**

Jan. 3	Read first time .....	10
Jan. 3	Referred to Committee on Government and Military Affairs .....	12
Jan. 3	Rules suspended. Notice of hearing .....	13
Jan. 3	Hearing reset .....	18

**LEGISLATIVE BILL 6 By Marvel, Gerdes**

Jan. 3	Read first time .....	11
Jan. 3	Rules suspended. Placed on General File .....	12
Jan. 4	Referred for review .....	21
Jan. 4	Placed on Select File .....	22
Jan. 5	Referred for engrossment .....	25
Jan. 5	Correctly engrossed .....	26
Jan. 11	Final Reading .....	63
Jan. 11	Correctly enrolled. President signed .....	67
Jan. 11	Presented to Governor .....	67
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